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Board of Industrial Relations

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BULLETIN

ON THE BOARD'S ACTIVITIES

JANUARY 1st, 1972 TO MARCH 31st, 1972

ISSUED BY

PROVINCE OF ALBERTA
DEPARTMENT OF LABOUR

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BOARD OF INDUSTRIAL RELATIONS

B U L L E T I N

ON THE BOARD'S ACTIVITIES

JANUARY 1st, 1972 to MARCH 31st, 1972

ISSUED BY

THE PROVINCE OF ALBERTA

DEPARTMENT OF LABOUR

E D M O N T O N

Second-class mail
Registration No. 1790

DEPARTMENT OF LABOUR

HONOURABLE DR. A. E. (BERT) HOHOL

Minister

D. I. GARDNER

Deputy Minister

BOARD OF INDUSTRIAL RELATIONS

MEMBERS

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HARRY BOYSE W. N. GRAY

WM. G. WRIGHT E. S. SUNLEY

G. E. GOUGH

Secretary

J. ELSINGA

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W. MADAY

Director of Labour Standards

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Director of Labour Relations

G. H. WRIGHT

Director of Research

Published every three months by:
The Research Division
Department of Labour
Edmonton, Alberta

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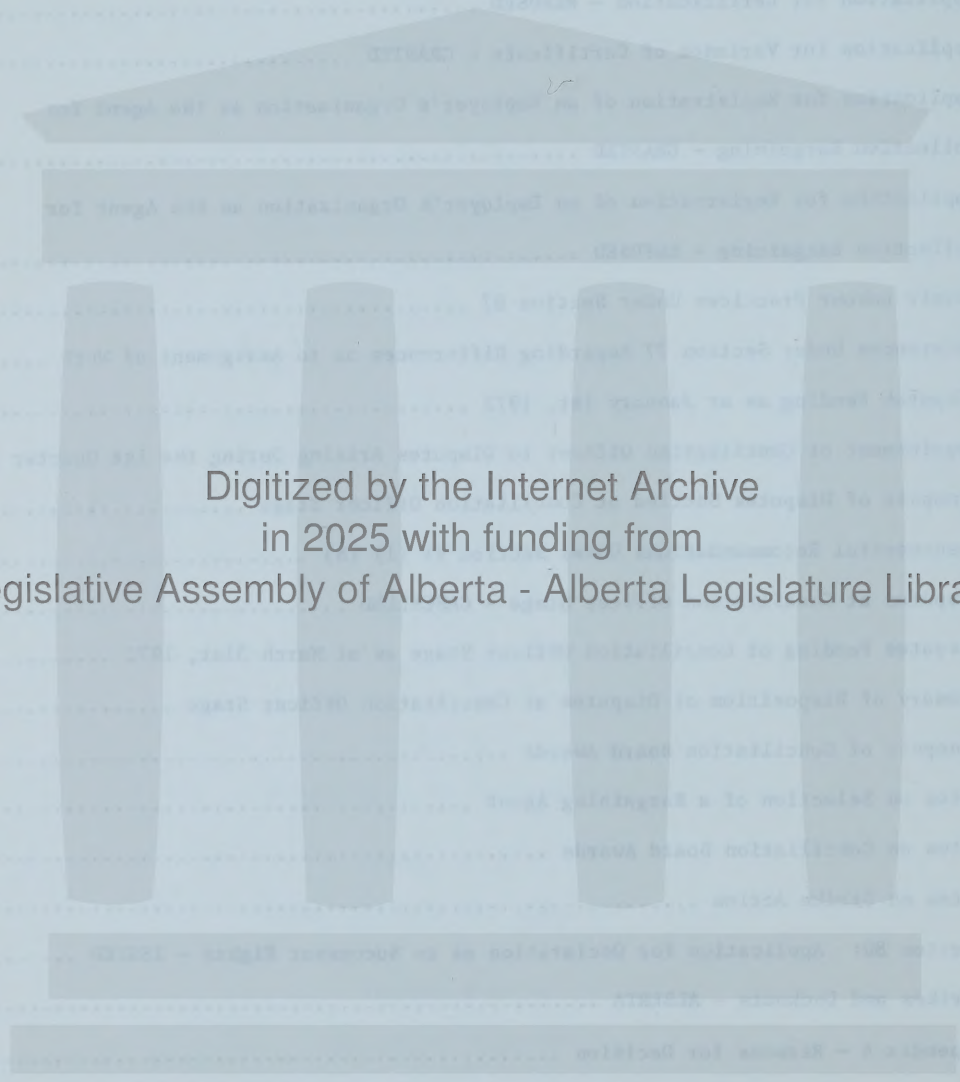

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STATISTICAL INFORMATION

This information is a summary of the activities of the Board of Industrial Relations in the Administration of The Alberta Labour Act during the period of January 1st, 1972 to March 31st, 1972.

Parts I to IV of The Act inclusive deal with Hours of Work, Minimum Wage, Labour Welfare, Vacation Pay, General Holiday Pay, and Industrial Standards Schedules.

Part V sets forth procedure for the purposes of Collective Bargaining.

The Bulletin deals with those phases of the Board's work in giving assistance to workers and employers effecting just and friendly settlements of all disputes.

PARTS I TO V INCLUSIVE - 1972	Jan. 1st/71 to Mar. 31st/71	Jan. 1st/72 to Mar. 31st/72
Number of Board Meetings (including Public Hearings)	16	20
*Number of Executive Committee Meetings	4	8
Number of Inspections	10,921	13,212
Number of Business Places Inspected	2,391	2,893
Number of Employees Affected	31,003	40,247
SETTLEMENTS MADE		
Overtime Arrears	$ 12,546.22	$ 25,149.32
Vacation Pay Orders	$ 39,120.69	$ 25,748.55
Under-Payment of Wages Due	$ 3,018.94	$ 3,646.16
Non-Payment of Wages Due	$ 45,296.51	$ 66,738.48
General Holidays	$ 17,781.58	$ 7,843.34
TOTAL	$117,763.94	$129,125.85
Number of Employees Affected by above Settlement	2,055	1,394
Number of Complaints Received	2,516	2,400
Amount of Weekly Increase Obtained for Employees	$ 482.36	$ 388.48

* Came into effect in March, 1971.

STATISTICAL INFORMATION

	Total for Year 1971	Jan. 1st/72 to Mar. 31st/72
CERTIFICATIONS		
Applications for Certification - ISSUED	245	64
Applications for Certification - REFUSED	65	20
Applications for Certification - RETURNED	--	--
REVOCATION OF CERTIFICATIONS		
Certifications Revoked	17	--
Applications Refused	13	--
Applications Returned	--	--
VARIANCES OF CERTIFICATES		
Application for Variance - GRANTED	96	11
Application for Variance - REFUSED	33	--
CONSOLIDATIONS OF CERTIFICATES		
Application to Consolidate - GRANTED	8	--
Application to Consolidate - REFUSED	2	--
APPLICATION FOR REGISTRATION OF AN EMPLOYERS ORGANIZATION AS THE AGENT FOR COLLECTIVE BARGAINING		
Application for Registration - GRANTED	4	1
Application for Registration - REFUSED	10	1
UNFAIR LABOUR PRACTICES		
Complaints	14	4
CONCILIATIONS		
Settled at Conciliation Officer Stage	136	16
Referred to a Conciliation Board	20	--
Unsuccessful Recommendations Under Section 91 (1) (b)	84	16
Pending	14	19
Cancelled	11	6
CONCILIATION BOARDS		
Unanimous Board Awards	16	1
Majority Board Awards	2	1
Dissent by Employer's Member	1	--
Dissent by Employee's Member	1	1
Acceptance of Board Awards by Both Parties	9	1
Acceptance of Board Awards by Employers Only	2	--
Acceptance of Board Awards by Employees Only	5	--
Rejection of Board Awards by Both Parties	2	--
Rejection of Unanimous Awards by Both Parties	2	1

STATISTICAL INFORMATION

VOTES	Total for Year 1971	Jan. 1st/72 to Mar. 31st/72
RE: Conciliation Board Awards	12	3
RE: Appointment of a Bargaining Agent	29	4
RE: Revocation of Certification	11	-
RE: Strike Action	52	10
In Favour	47	10
Against	5	-
RE: Section III of The Alberta Labour Act	2	-
Strikes Arising During The Year		
After Provisions of The Alberta Labour Act	17	1

* * * * * *

PROSECUTIONS	Jan. 1st/72 to Mar. 31st/72
Charges carried over from Previous Period	337
Number of Charges Entered	362
Convictions	134
Withdrawals	48
Dismissals	0
Warrants Executed	9
Committals	0
Amount of Fines Assessed	$1,280.00
Amount of Costs Assessed	$155.90
Failure to Comply with Magistrates Orders	36

AMOUNTS IMPLICATED	
Minimum Wage	$871.65
Wage Arrears	$6,669.02
Vacation Pay	$2,217.31
General Holiday Pay	$222.84

SUMMARY OF COURT CASES - BOARD OF INDUSTRIAL RELATIONS

JANUARY 1st, 1972 to MARCH 31st, 1972

Sections of The Alberta Labour Act under which Charges Laid for Infractions		FINES	COSTS	I/D DAYS	ARREARS	Charges Brought Forward and Disposition			New Cases this Period and Disposition			CONVICTIONS	DISMISSALS	WITHDRAWALS	COMMITALS	WARRANTS EXECUTED	BALANCE
						No.	Completed	Balance	No.	Completed	Balance						
Sec. 12	Failure to maintain or produce records	100.00	30.10	55	0	3	2	1	9	2	7	3	0	1	0	1	8
Sec. 29(1)(a) & 29(1)(b)	Minimum Wage and Overtime	50.00	0	19	871.65	24	11	13	27	4	23	13	0	2	0	0	36
Sec. 29(1)(f)	General Holiday Pay	55.00	0	13	222.84	50	9	41	50	2	48	10	0	1	0	0	89
Sec. 30(2) & Sec. 30(3)	Wages	660.00	106.00	183	6,669.02	129	53	76	131	15	116	39	0	29	0	7	192
Sec. 33(4)	Vacation Pay	415.00	19.80	120	2,217.31	111	35	76	120	40	80	69	0	6	0	1	156
Sec. 29(3), 30(5) & 33(5)	Failure to pay Judges order.	0	0	0	0	20	6	14	25	3	22	0	0	9	0	0	36
	TOTALS:	$1,280.00	$155.90	390	$9,980.82	337	116	221	362	66	296	134	0	48	0	9	517

THE ALBERTA LABOUR ACT

APPLICATION FOR CERTIFICATION

ISSUED

JANUARY 1st, 1972 to MARCH 31st, 1972

1. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 720, Edmonton and West-Core Steel Ltd., Saskatoon, Saskatchewan.

UNIT:	"All ironworker foremen, ironworker journeyman and ironworker apprentices engaged (off plant premises) in the erection of structural steel, field fabrication, welding, machinery moving and rigging and those employees engaged primarily in the installation of miscellaneous iron, excluding clerical staff and superintendents with the right to hire and fire and all other crafts."
Number of Employees in Unit:	8
Received November 24, 1971.	
Certificate Number:	1 - 72
Issued January 4, 1972.	

* * * * * *

2. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 146, Edmonton and Pan West Engineering and Construction Ltd., Calgary.

UNIT:	"All boilermakers, boilermaker welders, blacksmiths, boilermaker fitters, boilermaker riggers, and boilermaker helpers engaged in field construction, erection, rigging, field fabrication, steel plate construction and tank work, unloading and work involving assembling and dismantling performed by the employer within the jurisdiction of the Union in the Province of Alberta, but excluding time keepers, engineers, field office employees, clerical workers, those above the rank of foreman and employees engaged in fabrication work in the employer's shop or plant."
Number of Employees in Unit:	4
Received December 6, 1971.	
Certificate Number:	2 - 72
Issued January 4, 1972.	

* * * * * *

3. The United Brotherhood of Carpenters and Joiners of America, Local 1325, Edmonton and Canadian Bechtel Limited, Edmonton.

UNIT:	"Carpenters, carpenter foremen, carpenter apprentices."

Number of Employees in Unit: 77
Received November 9, 1971.
Certificate Number: 3 - 72
Issued January 11, 1972.

* * * * * *

4. The United Steelworkers of America, Local 6713, Calgary and Jasper Auto Parts (1965) Ltd., Calgary.

UNIT: "All employees of the company at their Calgary operations except office staff and those with authority to hire and fire."

Number of Employees in Unit: 6
Received November 17, 1971.
Certificate Number: 4 - 72
Issued January 11, 1972.

* * * * * *

5. The United Steelworkers of America, Local 6713, Calgary and E.A. Kutryk Industries Ltd., Calgary.

UNIT: "All employees of the Company at their Calgary operations except office staff and those with authority to hire and fire."

Number of Employees in Unit: 17
Received December 23, 1971.
Certificate Number: 5 - 72
Issued January 14, 1972.

* * * * * *

6. The General Teamsters Union, Local 362, Calgary and Revelstoke Transit Mix Plant (Division of) Revelstoke Building Materials Limited, Lethbridge.

UNIT: "All transit mix drivers, excluding batchermen, loadermen, office staff and supervisory personnel with the right to hire and fire."

Number of Employees in Unit: 8
Received November 15, 1971.
Certificate Number: 6 - 72
Issued January 14, 1972.

* * * * * *

7. The Canadian Union of Public Employees, Local 1445, Red Deer and Red Deer College, Red Deer.

UNIT: "All clerical staff excluding Presidents secretary, Vice-Presidents and Bursar's clerk-stenographer, casual part-time employees and computer technicians and technologists."

Number of Employees in Unit: 36
Received December 17, 1971.
Certificate Number: 7 - 72
Issued January 14, 1972.

* * * * * *

8. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 720, Edmonton and Nor-Don Contracting Services Ltd., Edmonton.

UNIT:	"All ironworker foremen, ironworker journeymen and ironworker apprentices engaged (off plant premises) in the erection of structural steel, field fabrication, welding, machinery moving and rigging of those employees engaged primarily in the installation of miscellaneous iron, excluding clerical staff and superintendents with the right to hire and fire and all other crafts."
Number of Employees in Unit:	4
Received January 11, 1972.	
Certificate Number:	8 - 72
Issued January 20, 1972.	

* * * * * *

9. The Alberta Association of Registered Nurses, Edmonton and Holy Cross Hospital, Spirit River.

UNIT:	"All full-time and permanent part-time registered nurses holding positions up to and including head nurse, subject to section 3 (2) (c) of the Registered Nurses' Act."
Number of Employees in Unit:	12
Received January 4, 1972.	
Certificate Number:	9 - 72
Issued January 20, 1972.	

* * * * * *

10. The International Brotherhood of Electrical Workers, Local 254, Calgary and Calgary Power Ltd., Calgary.

UNIT:	"All employees in the Sundance Steam Plant of Calgary Power Ltd., namely Steam Plant Operating Staff, all apprentice operators, assistant unit operating engineers (all classes), all unit operating engineers (all classes), all assistant shift engineers (all classes), clean up men, maintenance men (all classes), all laboratory technicians, all apprentice electricians, plant electricians, journeymen electricians (all classes), labourers (all classes), attached to the above classifications and staff house employees."
Number of Employees in Unit:	24
Received December 15, 1971.	
Certificate Number:	10 - 72
Issued January 25, 1972.	

* * * * * *

11. The International Brotherhood of Bookbinders, Local 211, Calgary and Humphries Printing Ltd., Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	2
Received January 4, 1972.	
Certificate Number:	11 - 72
Issued January 26, 1972.	

* * * * * *

12. The International Brotherhood of Bookbinders, Local 211, Calgary and McAra Printing Limited, Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	8
Received January 4, 1972.	
Certificate Number:	12 - 72
Issued January 26, 1972.	

* * * * * *

13. The International Brotherhood of Bookbinders, Local 211, Calgary and West Printing Company Ltd., Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	4
Received January 4, 1972.	
Certificate Number:	13 - 72
Issued January 26, 1972.	

* * * * * *

14. The International Brotherhood of Bookbinders, Local 211, Calgary and Albertan Job Press Ltd., Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	8
Received January 4, 1972.	
Certificate Number:	14 - 72
Issued January 26, 1972.	

* * * * * *

15. The International Brotherhood of Bookbinders, Local 211, Calgary and Economy Bookbindery Company Limited, Calgary.

UNIT:	"Bindery and Ruling Employees."
Number of Employees in Unit:	17
Received January 4, 1972.	
Certificate Number:	15 - 72
Issued January 26, 1972.	

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16. The International Brotherhood of Bookbinders, Local 211, Calgary and Western Printing and Lithographing Company Limited, Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	5
Received January 4, 1972.	
Certificate Number:	16 - 72
Issued January 26, 1972.	

* * * * * *

17. The International Brotherhood of Bookbinders, Local 211, Calgary and Commercial Printers (Calgary) Limited, Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	3
Received January 4, 1972.	
Certificate Number:	17 - 72
Issued January 26, 1972.	

* * * * * *

18. The International Brotherhood of Bookbinders, Local 211, Calgary and Miller Printing Limited, Calgary.

UNIT:	"Bindery Employees."
Number of Employees in Unit:	3
Received January 4, 1972.	
Certificate Number:	18 - 72
Issued January 26, 1972.	

* * * * * *

19. The Calgary Typographical Union, Local 449, Calgary and McAra Printing Limited, Calgary.

AMENDED UNIT:	"All employees in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."
Number of Employees in Unit:	12
Received December 28, 1971.	
Certificate Number:	19 - 72
Issued February 1, 1972.	

* * * * * *

20. The United Brotherhood of Carpenters and Joiners of America, Local 1325, Edmonton and Wilco Construction Co., Edmonton.

UNIT:	"Carpenters, Carpenter Foremen and Carpenter Apprentices."
Number of Employees in Unit:	4
Received January 7, 1972.	
Certificate Number:	20 - 72
Issued February 1, 1972.	

* * * * * *

21. The Calgary Typographical Union, Local 449, Calgary and Miller Printing Limited, Calgary.

AMENDED UNIT: "All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."

Number of Employees in Unit: 4
Received December 28, 1971.
Certificate Number: 21 - 72
Issued February 2, 1972.

* * * * * *

22. The United Brotherhood of Carpenters and Joiners of America, Local 1325, Edmonton and Magnacon Development Co. Ltd., Edmonton.

UNIT: "Carpenters, Carpenter Apprentices and Carpenter Foreman."

Number of Employees in Unit: 2
Received January 7, 1972.
Certificate Number: 22 - 72
Issued February 2, 1972.

* * * * * *

23. The Calgary Typographical Union, Local 449, Calgary and West Printing Company Ltd., Calgary.

AMENDED UNIT: "All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."

Number of Employees in Unit: 3
Received December 28, 1971.
Certificate Number: 23 - 72
Issued February 2, 1972.

* * * * * *

24. The Calgary Typographical Union, Local 449, Calgary and Foothill Printers Limited, Calgary.

AMENDED UNIT: "All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."

Number of Employees in Unit: 5
Received December 28, 1971.
Certificate Number: 24 - 72
Issued February 2, 1972.

* * * * * *

25. The Calgary Typographical Union, Local 449, Calgary and Albertan Job Press Ltd., Calgary.

AMENDED UNIT: "All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."

Number of Employees in Unit: 9
Received December 28, 1971.
Certificate Number: 25 - 72
Issued February 2, 1972.

* * * * * *

26. The Alberta Association of Registered Nurses, Edmonton and Grande Cache General Hospital, Grande Cache.

AMENDED UNIT:	"All full-time and permanent part-time registered nurses holding positions up to and including head nurse subject to section 3 (2) (c) of The Registered Nurses Act."
Number of Employees in Unit:	8
Received January 14, 1972.	
Certificate Number:	26 - 72
Issued February 3, 1972.	

* * * * * *

27. The International Brotherhood of Bookbinders, Local 211, Calgary and Foothill Printers Limited, Calgary.

UNIT:	"Bindery employees."
Number of Employees in Unit:	3
Received January 4, 1972.	
Certificate Number:	27 - 72
Issued February 3, 1972.	

* * * * * *

28. The Calgary Typographical Union, Local 449, Calgary and Calgary Typesetters Ltd., Calgary.

AMENDED UNIT:	"All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."
Number of Employees in Unit:	2
Received December 28, 1971.	
Certificate Number:	28 - 72
Issued February 3, 1972.	

* * * * * *

29. The Calgary Typographical Union, Local 449, Calgary and Western Printing and Lithographing Company Limited, Calgary.

AMENDED UNIT:	"All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."
Number of Employees in Unit:	5
Received December 28, 1971.	
Certificate Number:	29 - 72
Issued February 3, 1972.	

* * * * * *

30. The Calgary Typographical Union, Local 449, Calgary and Commercial Printers (Calgary) Limited, Calgary.

AMENDED UNIT:	"All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."

Number of Employees in Unit: 4
Received December 28, 1972.
Certificate Number: 30 - 72
Issued February 3, 1972.

* * * * * *

31. The Calgary Typographical Union, Local 449, Calgary and The Albertan, A Division of F. P. Publications Limited, Calgary.

AMENDED UNIT: "All employees employed in the Composing Process and related work excluding printing pressmen, lithographers and bookbindery."

Number of Employees in Unit: 14
Received December 28, 1971.
Certificate Number: 31 - 72
Issued February 3, 1972.

* * * * * *

32. The Canadian Union of Public Employees, Local 1058, Calgary and Rockyview General Hospital, Calgary.

AMENDED UNIT: "All employees excluding Department Heads, Registered and Graduate Nurses, Unit Managers, Certified Nursing Aides, Physio-therapists, Certified Laboratory Technicians, Certified Radiology Technicians, Registered Inhalation Therapy Technicians, Pharmacists, Medical Records Librarians, Dieticians, Chef, Professional and Technical Students employed as part of their formal training program, secretary to the Administrator, Maintenance Supervisor, Engineers including those who do maintenance and District #93 employees."

Number of Employees in Unit: 90
Received December 1, 1971.
Certificate Number: 32 - 72
Issued February 4, 1972.

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33. The International Association of Bridge, Structural and Ornamental Iron Workers, Local 720, Edmonton and Basarab Bros. Construction Ltd., North Vancouver, British Columbia.

UNIT: "All ironworker foremen, ironworker journeymen and ironworker apprentices engaged (off plant premises) in the erection of structural steel, field fabrication, welding, machinery moving and rigging and those employees engaged primarily in the installation of miscellaneous iron, excluding clerical staff and superintendents with the right to hire and fire and all other crafts."

Number of Employees in Unit: 6
Received January 18, 1972.
Certificate Number: 33 - 72
Issued February 4, 1972.

* * * * * *

34. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 725, Calgary and Shefron Industries Ltd., Winnipeg, Manitoba.

UNIT:	"All those employees of the company who are engaged in all phases of 'field' fabrication, assembly, application and erection of all structural, miscellaneous, ornamental iron, pre-engineered buildings, rigging, machinery moving and installation, including all welding in connection therewith. Excluding other craft unions and office staff."
Number of Employees in Unit:	2
Received January 20, 1972.	
Certificate Number:	34 - 72
Issued February 4, 1972.	

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35. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 146, Edmonton and Poole Construction Ltd., Edmonton.

UNIT:	"All boilermakers, boilermaker welders, blacksmiths, boilermaker fitters, boilermaker riggers and boilermaker helpers engaged in field construction, erection, rigging, field fabrication, steel plate construction and tank work, unloading and work involving assembling and dismantling performed by the employer within the jurisdiction of the Union in the Province of Alberta, but excluding time keepers, engineers, field office employees, clerical workers, those above the rank of foreman and employees engaged in fabrication work in the employer's shop or plant."
Number of Employees in Unit:	3
Received January 20, 1972.	
Certificate Number:	35 - 72
Issued February 8, 1972.	

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36. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 146, Edmonton and Exchanger Sales & Service Ltd., Edmonton.

UNIT:	"All hourly employees who are employed in or about the fabricating shop, excluding office help, field employees and foremen with the right to hire and fire."
Number of Employees in Unit:	10
Received January 31, 1972.	
Certificate Number:	36 - 72
Issued February 11, 1972.	

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37. The United Brotherhood of Carpenters and Joiners of America, Local 1325, Edmonton and Camston Limited, Toronto, Ontario.

UNIT: "Carpenters, carpenter foremen and carpenter apprentices."

Number of Employees in Unit: 2
Received January 21, 1972.
Certificate Number: 37 - 72
Issued February 11, 1972.

* * * * * *

38. The Office & Professional Employees International Union, Local 379, Calgary and Calgary District Pipe Trades, Calgary.

UNIT: "All office employees including clerical staff, general assistants and accountants, but excluding managerial staff and persons with the right to hire and fire."

Number of Employees in Unit: 4
Received January 27, 1972.
Certificate Number: 38 - 72
Issued February 11, 1972.

* * * * * *

39. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 725, Calgary and Cascade Builders Limited, Calgary.

UNIT: "Those employees of the company who are engaged in all phases of field fabrication and erection of all pre-cast, pre-stressed, post-stressed concrete products, and including all phases of fabrication, and erection of structural, miscellaneous, ornamental iron and reinforcing steel work, rigging, machinery moving and installation, and all welding in connection therewith. Excluding other craft unions, office staff and those employees above the rank of foremen."

Number of Employees in Unit: 2
Received February 1, 1972.
Certificate Number: 39 - 72
Issued February 11, 1972.

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40. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 720, Edmonton and Permasteel Engineering Ltd., Vancouver, British Columbia.

UNIT: "All ironworker foremen, ironworker journeymen and ironworker apprentices engaged (off plant premises) in the erection of structural steel, field fabrication, welding, machinery moving and rigging and those employees engaged primarily in the installation of miscellaneous iron, excluding clerical staff and superintendents with the right to hire and fire and all other crafts."

Number of Employees in Unit: 3
Received January 11, 1972.
Certificate Number: 40 - 72
Issued February 14, 1972.

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41. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 720, Edmonton and Terrace Corporation (Construction) Ltd., Edmonton.

AMENDED UNIT: "All ironworkers, ironworker foremen, ironworker journeymen and ironworker apprentices engaged on fabrication, sorting, cutting, placing, tacking, welding and tieing of all materials used to reinforce concrete construction in the field excluding clerical staff and superintendents with the right to hire and fire and all other crafts."

Number of Employees in Unit: 8
Received December 10, 1971.
Certificate Number: 41 - 72
Issued February 15, 1972.

* * * * * *

42. The International Woodworkers of America, Local 1-287, Edmonton and Revelstoke Building Materials Limited, Calgary.

UNIT: "All employees of the company employed at its Planer Mill at Whitecourt, Alberta, excluding office staff, retail staff, foremen, and those above the rank of foremen."

Number of Employees in Unit: 2
Received January 26, 1972.
Certificate Number: 42 - 72
Issued February 17, 1972.

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43. The International Woodworkers of America, Local 1-207, Edmonton and Revelstoke Building Materials Limited, Calgary.

AMENDED UNIT: "All employees of the company employed at Camp #1, located approximately 60 miles southwest of Valleyview, Alberta, excluding office staff, foremen and those above the rank of foremen."

Number of Employees in Unit: 25
Received January 26, 1972.
Certificate Number: 43 - 72
Issued February 17, 1972

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44. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 720, Edmonton and Collins Steel Products Limited, Edmonton.

UNIT:	"All ironworker foremen, ironworker journeymen and ironworker apprentices engaged (off plant premises) in the erection of structural steel, field fabrication, welding, machinery moving and rigging and those employees engaged primarily in the installation of miscellaneous iron, excluding clerical staff and superintendents with the right to hire and fire and all other crafts."
Number of Employees in Unit:	7
Received January 10, 1972.	
Certificate Number:	44 - 72
Issued February 18, 1972.	

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45. The United Brotherhood of Carpenters and Joiners of America, Local Unions 1779 and 2103, Calgary and A. V. Carlson Construction Ltd., Edmonton.

UNIT:	"Carpenter foreman, journeyman carpenter and carpenter apprentice."
Number of Employees in Unit:	9
Received February 3, 1972.	
Certificate Number:	45 - 72
Issued February 23, 1972.	

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46. The United Brotherhood of Carpenters and Joiners of America, Local 2191, Calgary and Franz Patella Contracting Ltd., Calgary.

AMENDED UNIT:	"All Plant employees except Painters covered under Painters certification and those with the right to hire and discharge and office."
Number of Employees in Unit:	28
Received February 10, 1972.	
Certificate Number:	46 - 72
Issued February 25, 1972.	

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47. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 146, Edmonton and Great West Steel Industries Ltd., Edmonton.

UNIT:	"All Boilermakers, Boilermaker Welders, Blacksmiths, Boilermaker Fitters, Boilermaker Riggers and Boilermaker Helpers engaged in field construction, erection, rigging, field fabrication, steel plate construction and tank work, unloading and work involving assembling and dismantling performed by the employer within the jurisdiction of the Union in the Province of Alberta, but excluding time keepers, engineers, field office employees, clerical workers, those above the rank of foreman and

employees engaged in fabrication work in the employer's shop or plant."

Number of Employees in Unit: 2
Received February 15, 1972.
Certificate Number: 47 - 72
Issued February 29, 1972.

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48. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 146, Edmonton and Atlas Construction Company Limited, Edmonton.

UNIT: "All Boilermakers, Boilermaker Welders, Blacksmiths, Boilermaker Fitters, Boilermaker Riggers and Boilermaker Helpers engaged in field construction, erection, rigging, field fabrication, steel plate construction and tank work, unloading and work involving assembling and dismantling performed by the employer within the jurisdiction of the Union in the Province of Alberta, but excluding time keepers, engineers, field office employees, clerical workers, those above the rank of foreman and employees engaged in fabrication work in the employer's shop or plant."

Number of Employees in Unit: 3
Received February 15, 1972.
Certificate Number: 48 - 72
Issued March 2, 1972.

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49. The International Brotherhood of Electrical Workers, Local 424, Edmonton and Canadian General Electric Co. Ltd., Edmonton.

AMENDED UNIT: "Major and small appliance repairmen, journeymen, and apprentices, radio and television technicians, journeymen and apprentices; leaders, all employed in the consumer products service operation of the company at Edmonton, Alberta."

Number of Employees in Unit: 15
Received February 8, 1972.
Certificate Number: 49 - 72
Issued March 6, 1972.

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50. The Canadian Union of Public Employees, Local #37, Calgary and The Board of Trustees of Canmore School District No. 168, Canmore.

UNIT: "All caretaking and maintenance staff."

Number of Employees in Unit: 3
Received February 16, 1972.
Certificate Number: 50 - 72
Issued March 6, 1972.

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51. The Amalgamated Meat Cutters and Butcher Workmen of North America, Local P-280, Edmonton and Northern Alberta Dairy Pool Limited, Thorsby.

AMENDED UNIT:	"All employees of the company (Cheese Plant) at Thorsby, Alberta, excluding office staff, plant manager and those above such manager with the right to hire and fire."
Number of Employees in Unit:	16
Received February 8, 1972.	
Certificate Number:	51 - 72
Issued March 9, 1972.	

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52. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 146, Edmonton and Coast Steel Erectors Ltd., Burnaby, British Columbia.

UNIT:	"All Boilermakers, Boilermaker Welders, Blacksmiths, Boilermaker Fitters, Boilermaker Riggers and Boilermaker Helpers engaged in field construction, erection, rigging, field fabrication, steel plate construction, and tank work, unloading and work involving assembling and dismantling performed by the employer within the jurisdiction of the Union in the Province of Alberta, but excluding time keepers, engineers, field office employees, clerical workers, those above the rank of foreman and employees engaged in fabrication work in the employers shop or plant."
Number of Employees in Unit:	8
Received February 17, 1972.	
Certificate Number:	52 - 72
Issued March 10, 1972.	

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53. The Building, Construction & General Laborers' Union, Local 92, Edmonton and Babcock-Wilcox Canada Ltd., Galt, Ontario.

UNIT:	"All labourers when employed as general labourers, foremen, mortar mixers, motor buggy operators, toolcrib men, farm tractor operators, jackhammermen, vibrator men, dumpmen, tampermen, pump tenders, tubular scaffolders, chippermen, pipelayers (non-metallic), pushers, heater tenders, surveyors helpers and watchmen. Labourers tending all crafts including mixing, handling and conveying of all materials handled by the crafts."
Number of Employees in Unit:	2
Received February 24, 1972.	
Certificate Number:	53 - 72
Issued March 14, 1972.	

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54. The Building, Construction & General Laborers' Union, Local 92, Edmonton and D. MacDougall Construction (Alta.) Ltd., Edmonton.

UNIT:	"All labourers when employed as general labourers, foremen, mortar mixers, motor buggy operators, toolcrib men, farm tractor operators, jack-hammermen, vibrator men, dumpmen, tampermen, pump tenders, tubular scaffolders, chippermen, pipe-layers (non-metallic), pushers, heater tenders, surveyors helpers and watchmen. Labourers tending all crafts including mixing, handling and conveying of all materials handled by the crafts."
Number of Employees in Unit:	2
Received February 29, 1972.	
Certificate Number:	54 - 72
Issued March 16, 1972.	

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55. The Building, Construction & General Laborers' Union, Local 92, Edmonton and Richfield Building and Design Corporation Ltd., Calgary.

UNIT:	"All labourers when employed as general labourers, foremen, mortar mixers, motor buggy operators, toolcrib men, farm tractor operators, jack-hammermen, vibrator men, dumpmen, tampermen, pump tenders, tubular scaffolders, chippermen, pipe-layers (non-metallic), pushers, heater tenders, surveyors helpers and watchmen. Labourers tending all crafts including mixing, handling and conveying of all materials handled by the crafts."
Number of Employees in Unit:	2
Received February 29, 1972.	
Certificate Number:	55 - 72
Issued March 16, 1972.	

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56. The Sheet Metal Workers International Association, Local 254, Calgary and Westland Metals - Division of Indal Western Ltd., Calgary.

UNIT:	"All employees of the company, save and except office staff, supervisory staff, sales staff, superintendents and others excluded by the provisions of The Alberta Labour Act."
Number of Employees in Unit:	8
Received February 16, 1972.	
Certificate Number:	56 - 72
Issued March 16, 1972.	

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57. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 392, Calgary and Rocket Welding Contractors Ltd., Calgary.

AMENDED UNIT:	"All shop employees at 4636 - First Street, S.E., Calgary, who are employed in or about the shop excluding office staff and those excluded under The Alberta Labour Act."
Number of Employees in Unit:	9
Received January 25, 1972.	
Certificate Number:	57 - 72
Issued March 16, 1972.	

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58. The Canadian Union of Public Employees, Local 70, Lethbridge and County of Forty Mile No. 8, Foremost, Alberta.

AMENDED UNIT:	"All employees under the jurisdiction of the school committee excluding the building supervisor."
Number of Employees in Unit:	11
Received February 1, 1972.	
Certificate Number:	58 - 72
Issued March 20, 1972.	

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59. The Canadian Union of Public Employees, Local 70, Lethbridge and County of Forty Mile No. 8, Foremost, Alberta.

AMENDED UNIT:	"All employees excluding those under the jurisdiction of the school committee, secretary-treasurer, assistant secretary-treasurer, Secretary to the secretary treasurer, superintendent of public works, road foreman and agricultural foreman."
Number of Employees in Unit:	20
Received February 1, 1972.	
Certificate Number:	59 - 72
Issued March 20, 1972.	

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60. The Retail, Wholesale and Department Store Union, Local 980, Calgary and General News Company Limited, Lethbridge.

AMENDED UNIT:	"All employees employed by the company save and except manager, assistant manager and sales manager."
Number of Employees in Unit:	16
Received February 22, 1972.	
Certificate Number:	60 - 72
Issued March 21, 1972.	

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61. The United Steelworkers of America, Local 5220, Edmonton and W. S. Tyler Company of Canada Limited, Edmonton.

UNIT:	"All employees of the company employed at its Edmonton plant except office staff, supervisors with the right to hire and fire and those excluded by the Alberta Labour Act."
Number of Employees in Unit:	12
Received February 29, 1972.	
Certificate Number:	61 - 72
Issued March 23, 1972.	

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62. The Building, Construction & General Laborers' Local Union No. 92, Edmonton and Commonwealth Construction Company Limited, Calgary.

UNIT:	"All labourers when employed as general labourers, working foremen, mortar mixers, motor buggy operators, toolcrib men, farm tractor operators, jackhammermen, vibrator men, dumpmen, tampermen, pump tenders, tubular scaffolders, chippermen, pipe-layers (non-metallic), pushers, heater tenders, surveyors helpers and watchmen. Labourers tending all crafts including mixing, handling and conveying of all materials handled by the crafts."
Number of Employees in Unit:	5
Received March 3, 1972.	
Certificate Number:	62 - 72
Issued March 28, 1972.	

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63. The Building, Construction & General Laborers' Local Union No. 92, Edmonton and Pan West Engineering & Construction Ltd., Calgary.

UNIT:	"All labourers when employed as general labourers, foremen, mortar mixers, motor buggy operators, toolcrib men, farm tractor operators, jackhammermen, vibrator men, dumpmen, tampermen, pump tenders, tubular scaffolders, chippermen, pipe-layers (non-metallic), pushers, heater tenders, surveyors helpers and watchmen. Labourers tending all crafts including mixing, handling and conveying of all materials handled by the crafts."
Number of Employees in Unit:	20
Received February 18, 1972.	
Certificate Number:	63 - 72
Issued March 30, 1972.	

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64. The General Teamsters, Local Union No. 362, Edmonton and Dispose-All Services Ltd., Edmonton.

UNIT:	"All truck drivers and helpers (swampers) in the City of Edmonton excluding mechanics and maintenance shop employees, office staff and all supervisory personnel with the right to hire and fire."
Number of Employees in Unit:	27
Received February 28, 1972. Certificate Number:	64 - 72
Issued March 30, 1972.	

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APPLICATION FOR CERTIFICATION

REFUSED

JANUARY 1st, 1972 to MARCH 31st, 1972

1. The Calgary General Hospital Association of Registered Laboratory Technologists, Calgary and Calgary General Hospital, Calgary.

   UNIT: "All Registered Laboratory Technologists employed by the Calgary General Hospital at Calgary, Alberta, excluding supervisory personnel with the right to hire and/or fire."

   Received December 17, 1971.
   Refused January 17, 1972. Unit not appropriate.

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2. The International Woodworkers of America, Local 1-207, Edmonton and North Western Pulp & Power Ltd., Hinton.

   UNIT: "All those employed as scalers, tallymen, forestry technicians - (Survey, Greenhouse, Draftsmen)."

   Received December 3, 1971.
   Refused January 17, 1972. Unit not appropriate.

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3. The Sheet Metal Workers' International Association, Local 271, Edmonton and R. Zeidler (1962) Ltd., Edmonton.

   UNIT: "All employees of the Company save and except supervisory personnel, office staff, and others excluded by The Alberta Labour Act."

   Received January 11, 1972.
   Refused February 2, 1972. Unit not appropriate.

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4. The Canadian Union of Public Employees, Local 37, Calgary and Town of Canmore, Canmore.

   UNIT: "All labourers, machine operators, truck drivers, foremen and clerical employees employed by the Town of Canmore."

   Received January 11, 1972.
   Refused February 4, 1972. Not a majority selection.

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5. The Rockyview Hospital Employee's Association, Calgary and Rockyview General Hospital, Calgary.

AMENDED UNIT: "All employees excluding Department Heads, Registered and Graduate Nurses, Unit Managers, Certified Nursing Aides, Physiotherapists, Certified Laboratory Technicians, Certified Radiology Technicians, Registered Inhalation Therapy Technicians, Pharmacists, Medical Records Librarians, Dieticians, Chef, Professional and Technical Students employed as part of their formal training program, secretary to the Administrator, Maintenance Supervisor, Engineers including those who do maintenance, and District #93 employees."

Received December 10, 1971.
Refused February 4, 1972. Majority did not vote in favour.

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6. The Canadian Union of Public Employees, Local 1444, Calgary and Calgary School District No. 19, Calgary.

UNIT: "All employees employed in or out of the stores and maintenance departments, employed by the Calgary School District No. 19, Calgary, excluding office and supervisory personnel, plumbers and pipefitters, glassworkers, carpenters, sheet metal workers, painters, electricians, regular or regular part-time caretakers and cleaners."

Received December 23, 1971.
Refused February 10, 1972. Unit not appropriate.

* * * * * *

7. The Retail Clerks Union, Local 397, Calgary and General News Company Ltd., Lethbridge.

UNIT: "All employees whether full or part-time employed by General News Company Ltd., Lethbridge, Alberta except the general manager."

Received January 10, 1972.
Refused February 10, 1972. Applicant trade union not a proper bargaining agent.

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8. The International Woodworkers of America, Local 1-207, Edmonton and Revelstoke Building Materials Limited, Calgary.

UNIT: "All employees of the company employed at its Planer Mill at Whitecourt, Alberta, excluding office staff, retail staff, foremen and those above the rank of foremen." and "All employees of the company employed at Camp #1, located approximately 60 miles southwest of Valleyview, Alberta, excluding foremen and those above the rank of foremen."

Received January 27, 1972.
Refused February 17, 1972. — Applicant already certified for classifications.

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9. The Retail Clerks Union, Local 397, Calgary and National System of Baking Alberta Ltd., Calgary.

UNIT: "All sales personnel (whether male or female, full or part-time) employed in the retail sales operation, operated by the National System of Baking Limited, in the City of Calgary and its adjacent suburbs excluding the Managers, office staff or anyone in a confidential capacity."

Received February 11, 1972.
Refused March 3, 1972. — Not a majority selection.

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10. The General Teamsters Union, Local 362, Calgary and Edmonton Transfer Ltd., Edmonton.

UNIT: "All employees classified as City Drivers, Over-the-Road Drivers, Dockmen, Mechanics, excluding office staff and all supervisory personnel who have the right to hire and fire or change the status of employees."

Received February 8, 1972.
Refused March 9, 1972. — Lack of majority selection.

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11. The General Teamsters Union, Local 362, Calgary and Sokil Express Lines Ltd., Edmonton.

UNIT: "All employees classified as City Drivers, Over-the-Road Drivers, Dockmen, Mechanics, excluding office staff and all supervisory personnel who have the right to hire and fire or change the status of employees."

Received February 8, 1972.
Refused March 9, 1972. — Inter-provincial operations, lack of jurisdiction and no employees.

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12. The Canadian Union of Public Employees, Local 37, Calgary and Calgary Exhibition and Stampede Limited, Calgary.

UNIT: "Labourers, Truck Drivers, Equipment Operators, Gardener, Labourers on Garbage Pick-up, Welders, Maintenance Janitor."

Received February 4, 1972.
Refused March 16, 1972. — Not a majority selection.

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13. The Canadian Union of Public Employees, Local 37, Calgary and Town of Canmore, Canmore.

UNIT: "All labourers, machine operators and truck drivers."

Received February 16, 1972.
Refused March 16, 1972. Unit not appropriate.

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14. The Retail, Wholesale and Department Store Union, Local 980, Calgary and General News Company Limited, Lethbridge.

UNIT: "All employees employed by the company save and except office and clerical employees, manager and assistant manager."

Received February 22, 1972.
Refused March 21, 1972. Certified for similar unit.

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15. The Retail, Wholesale and Department Store Union, Local 980, Calgary and General News Company Limited, Lethbridge.

UNIT: "All office and clerical employees employed by the company save and except manager and assistant manager."

Received February 22, 1972.
Refused March 21, 1972. Certified for similar unit.

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16. The Alberta Certified Nursing Aide Association, Edmonton and Royal Alexandra Hospital, Edmonton.

UNIT: "All certified nursing aides employed by the Royal Alexandra Hospital, in any capacity."

Received February 15, 1972.
Refused March 22, 1972. Unit not appropriate.

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17. The Amalgamated Meat Cutters & Butcher Workmen of North America, Local P-740, Lethbridge and Vauxhall Foods Limited, Vauxhall.

UNIT: "All hourly paid employees, excluding office staff, salesmen, foremen and those above the rank of foremen with the right to hire and fire."

Received December 10, 1971.
Refused March 28, 1972. Not a majority selection.

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18. The International Association of Bridge, Structural and Ornamental Ironworkers, Local Union No. 725, Calgary and Astro Steel Ltd., Calgary.

UNIT: "All those employees of the company who are engaged in all phases of "field" fabrication, assembly, application and erection of all structural, miscellaneous, ornamental iron, pre-engineered buildings, rigging, machinery moving and installation, including all welding in connection therewith and excluding other craft unions and office staff."

Received March 9, 1972.
Refused March 29, 1972. Not a majority selection.

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19. The Amalgamated Meat Cutters & Butcher Workmen of North America, Local P-319, Edmonton and Grande Prairie Packers (1968) Limited, Grande Prairie.

UNIT: "All employees excluding office staff, foremen and those above the rank of such foremen."

Received November 15, 1971.
Refused February 28, 1972. Not a majority selection.

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20. The General Teamsters, Local Union No. 362, Calgary and Pan-West Engineering and Construction Ltd., Calgary.

UNIT: "All truck drivers, bus drivers, farm tractor operators, warehousemen, warehouse helpers, warehouse fork lift operators and truck or warehouse foremen excluding supervisory staff with the right to hire and fire and employees engaged in handling or testing of material and equipment normally handled or tested by members of other trades."

Received February 9, 1972.
Refused March 30, 1972. Application untimely.

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APPLICATION FOR VARIANCE OF CERTIFICATE

GRANTED

JANUARY 1st, 1972 to MARCH 31st, 1972

1. The Canadian Association of Industrial, Mechanical and Allied Workers, Local 2 (Alberta), Canadian Electrical Workers, Blairmore and Phillips Cables Limited, Sentinel.

   Varied name of Employer:

   FROM: Phillips Cables (Western) Ltd., Sentinel.

   TO: Phillips Cables Limited, Sentinel.

   Certificate Number: 22 - 69, varied as to name of employer.

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2. The Amalgamated Meat Cutters and Butcher Workmen of North America, Local P280, Edmonton and Edmonton Cold Storage Company (Division of Doric Investment Ltd.) Edmonton.

   Varied name of Employer:

   FROM: The Edmonton Cold Storage Company Limited, Edmonton.

   TO: Edmonton Cold Storage Company (Division of Doric Investment Ltd.) Edmonton.

   Certificate Number: 105 - 51, varied as to name of employer.

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3. The Canadian Union of Public Employees, Local 924, Grande Prairie and Dustbane Enterprises Ltd., Modern Building Cleaning Division, Edmonton.

   Varied name of Employer:

   FROM: Dustbane Enterprises Limited, Edmonton.

   TO: Dustbane Enterprises Ltd., Modern Building Cleaning Division, Edmonton.

   Certificate Number: 61 - 66, varied as to name of employer.

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4. The International Brotherhood of Electrical Workers, Local 254, Calgary and The Corporation of the City of Calgary, Alberta.

   Varied Unit to following:

   1. "Those employees, including Journeymen and Apprentices, in the following classifications of the Electric Light, Heat and Power System, namely; Crews Foreman, Crew Foreman, Working Foreman, Relay Technician, System Operator, Electrical Inspector, Troubleman, Cable Splicers, Lineman, Service Installer, Line Patrolman, Station Operator, Station Electrician, Relay Technician, Inside Wireman (Registered), Electrical Equipment Repairman, Electrical Construction Planner, Line Inspector, Safety and Training Assistant, Truck Driver (Electrical), Groundman, Operator Mechanical Equipment, Electrical Utility Man, Equipment

Operator (Electrical), Painter (Electrical), Dispatcher (Electric System), Digger and Pole Derrick Operator, Maintenance Man (Electrical), Custodial Worker (Electrical), Labour Foreman (Electrical), Labourers (Electrical) attached to the above classifications including casual and seasonal Labourers on all underground residential distribution or direct burial work.

Excluding:

(a) Supervisory staff above the level of Crews Foreman.

(b) Labourers, Truck Drivers, Equipment Operators and their foremen in the underground construction crews, on the construction of vaults, man holes, and duct lines.

2. Those employees, including Journeyman and Apprentices, in the following classifications in the Civic Garage (Machine Shop section), namely; Crews Foreman, Crew Foreman, Working Foreman, Trolley Coach Electrician and Inside Wireman (Registered).

3. Those employees in the following classifications of the Purchasing Department who are attached to, and work at, the Electric System Stores, namely; Storeman and Storekeeper.

4. Those employees in the following classifications of the Fire Department (Alarm Division), namely; Crews Foreman, Crew Foreman, Working Foreman, Signals Wireman and Lineman.

5. Those employees in the following classifications of the Engineering Department (Traffic Signals Shop), namely; Crews Foreman, Crew Foreman, Working Foreman, Signals Wireman - Radio (Registered) and Signals Technician."

Certificate Number: 63 - 55, varied as to unit.

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5. The Association of Employees of North Canadian Forest Industries (Grande Prairie Lumber Division and Hines Creek Lumber Division), Grande Prairie, Alberta and North Canadian Forest Industries Limited (Grande Prairie Lumber Division), Grande Prairie.

Varied Name of Union:

FROM: Association of Employees of North Canadian Forest Industries (Grande Prairie Lumber Division), Grande Prairie, Alberta.

TO: Association of Employees of North Canadian Forest Industries (Grande Prairie Lumber Division and Hines Creek Lumber Division), Grande Prairie, Alberta.

Certificate Number: 19 - 65, as to name of bargaining agent.

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6. The McMurray Independent Oil Workers, Fort McMurray and Great Canadian Oil Sands Limited, Tar Island.

Varied Name of Union:

FROM: Great Canadian Oil Sands Employees' Bargaining Association, Fort McMurray, Alberta.

TO: McMurray Independent Oil Workers, Fort McMurray.

Certificate Number: 63 - 67, as to name of bargaining agent.

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7. The International Woodworkers of America, Local 1-207, Edmonton and North Western Pulp and Power Limited, Hinton.

Varied Unit to following:

"All employees of the company employed in the Woodlands Division at Hinton, Alberta, excluding foremen, senior scalers, check scalers, office staff, confidential and those having the right to hire and fire."

Certificate Number: 47 - 56, varied as to unit.

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8. The International Chemical Workers Union, Local 530, Fort Saskatchewan and Canadian Johns Manville Co., Limited, Fort Saskatchewan.

Varied Name of Union:

FROM: International Chemical Workers Union, Local 530, A.F.L.

TO: International Chemical Workers Union, Local 530, Fort Saskatchewan.

Varied Name of Employer:

FROM: Peace River Glass Company Limited, Fort Saskatchewan.

TO: Canadian Johns Manville Co., Limited, Fort Saskatchewan.

Varied Unit to following:

"All employees of the Company's plant or plants located on the property as described in land title registration number 25-T-247, Town of Fort Saskatchewan, Alberta, except office staff, salesmen, foremen and confidential employees with the right to hire and fire."

Certificate Number: 4 - 56, as to name of union, employer, and unit.

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9. The Alberta Strip Miners Union, Local 1595, Wabamun, Alberta and Manalta Coal Ltd., Wabamun.

Varied Name of Employer:

FROM: Alberta Coal Ltd., Wabamun.

TO: Manalta Coal Ltd., Wabamun.

Certificate Number: 38 - 61, as to name of employer.

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10. The International Association of Bridge, Structural and Ornamental Ironworkers, Local 720, Edmonton and Northrid Erectors Ltd., Edmonton.

Varied Name of Employer:

FROM: Gilchrist Engineering (Alberta) Ltd., Edmonton.

TO: Northrid Erectors Ltd., Edmonton.

Certificate Number: 8 - 63, as to name of employer.

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11. The International Brotherhood of Pulp, Sulphite and Paper Mill Workers, Local 855, Hinton and North Western Pulp and Power Limited, Hinton.

Varied Unit to following:

"All employees of North Western Pulp and Power Limited employed at the Plant site at Hinton, Alberta including Mill Stores Department Senior Wicket Clerk, Wicket Clerks, Stock Clerk, Receiving and Shipping Clerk, Receiving, Shipping and Parts Clerk, Safety Stores Clerk, Perpetual Inventory Clerk, Mill Laboratory Department Pulp Testers, Lab Technicians, Senior Lab Technicians, Lab Analysts, save and except Foreman and those above the rank of Foreman, Office Staff, Security Guards, and employees of the Company employed in the Woodlands Division at Hinton, Alberta."

Certificate Number: 11 - 57, varied as to unit description.

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APPLICATION FOR REGISTRATION OF AN EMPLOYER'S ORGANIZATION

AS THE AGENT FOR COLLECTIVE BARGAINING

G R A N T E D

JANUARY 1st, 1972 to MARCH 31st, 1972

1. The Canadian Plumbing and Mechanical Contractors Association of Alberta, Edmonton and United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, Local 488, Edmonton.

   Description of trade jurisdiction:

   "All plumbing, mechanical and pipefitting construction excluding pipeline construction, pneumatic control, stress relieving, fire protection, non-destructive testing and heat treating."

   Territory:

   "All that portion of the Province of Alberta, north of parallel 52.15, which is the parallel of latitude running east and west through the centre of the City of Red Deer, but not including the area allotted by the United Association to Red Deer Local 826."

   Granted March 10, 1972. Registration Certificate Number: 1 - 72

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APPLICATION FOR REGISTRATION OF AN EMPLOYER'S ORGANIZATION

AS THE AGENT FOR COLLECTIVE BARGAINING

R E F U S E D

JANUARY 1st, 1972 to MARCH 31st, 1972

1. The Alberta Roofing Contractor's Association Ltd., Calgary and Sheet Metal Workers International Association, Local 254, Calgary.

   Description of trade jurisdiction:

   "Roofing and Related Sheet Metal Industry."

   Territory:

   "City of Calgary."

   Refusal Number: 1 - 72
   Refused January 17, 1972, not proper to register an association established as a limited company.

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UNFAIR LABOUR PRACTICES

Section 87

JANUARY 1st, 1972 to MARCH 31st, 1972

1. COMPLAINT BY:
Messrs. Jeske, Pierce, Marsh, Coey and Chan.

AFFECTING:
The International Association of Heat and Frost Insulators and Asbestos Workers, Local 110, Edmonton.

Alleging:
"that the International Union of Local 110, Edmonton is committing acts prohibited by section 84, subsection (13) of the Alberta Labour Act by violating union's constitution."

No action commenced against employees by union, no further action by Board, January 6, 1972.

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2. COMPLAINT BY:
The Beverage Dispensers' International Union, Local 265, Calgary.

AFFECTING:
Airliner Inn Ltd., Calgary.

Alleging:
"that the Airliner Inn Ltd., Calgary, Alberta has committed unfair labour practice by terminating the employment of Mr. Harvey Deary, Mr. David Canaday, and Mrs. Lynne Ouelette for union activities."

Un-fair labour practices - withdrawn, February 7, 1972.

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3. COMPLAINT BY:
The Amalgamated Meat Cutters & Butcher Workmen of North America, Local P-319, Edmonton.

AFFECTING:
Grande Prairie Packers (1968) Limited, Grande Prairie.

Alleging:
"that the employer has committed unfair labour practices by terminating employment of five indiciduals contrary to section 84(1)(c) of the Act.

It was the decision of the Board directive issue to reinstate employees and for employer to pay wages lost by reason of improper dismissal, February 28, 1972.

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4. COMPLAINT BY:
The Retail, Wholesale and Department Store Union, Local 980, Calgary.

AFFECTING:
Avalon Cleaners Ltd., Calgary.

Alleging:
"that the employer contravened sections 82(1) and 84(1) of The Alberta Labour Act by intimidating certain employees in an attempt to have them refrain from their lawful rights under part 5 of the Act".

It was the decision of the Board that directive issue directing employer to cease any activities to compel employees to refrain from engaging in activities in support of a bargaining agent, March 22, 1972.

REFERENCES UNDER SECTION 77 REGARDING DIFFERENCES

AS TO ASSIGNMENT OF WORK

JANUARY 1st, 1972 to MARCH 31st, 1972

1. Jurisdictional Number: 1 - 70

BY:
The International Brotherhood of Electrical Workers, Local Union 424, Edmonton.

AFFECTING:
The United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, Local 488, Edmonton and the International Brotherhood of Electrical Workers, Local Union 424, Edmonton and Canadian Bechtel Limited, Edmonton.

Work Assignment in Dispute: remote controlled instruments

7. Remotely mounted instruments or controls having both electrical and piping connections including necessary supports and brackets shall be the work of the U.A. where the instruments by function and location are an integral part of the process system or where the initial impulse is pneumatic or from the process systems.

Remotely mounted instruments or controls having both electrical and piping connections including necessary supports and brackets shall be the work of the I.B.E.W. where the instruments by function or location have no direct effect on the process system or where the initial impulse is electrical or electronic.

Piping connections on such combination instruments and controls shall be the work of the U.A. and all electrical connections shall be the work of the I.B.E.W.

February 14, 1972, Board varied decision of April 13, 1971 as to Item No. 7.

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THE ALBERTA LABOUR ACT

DISPUTES PENDING AT CONCILIATION

OFFICER STAGE AS AT JANUARY 1st, 1972

DISPUTE NUMBER	DISPUTE NUMBER	DISPUTE NUMBER	DISPUTE NUMBER
A-165-71	A-215-71	A-228-71	A-245-71
A-198-71	A-225-71	A-242-71	A-246-71
A-205-71	A-226-71	A-243-71	
A-207-71	A-227-71	A-244-71	

NOTE: Disputes are numbered in the order that they are received, starting January 1st of each year. Full details of each dispute are given in the Quarter in which it arises and only the Dispute Number is shown thereafter until it is settled or reaches some other stage of bargaining.
Dispute Number by Quarter:
First Quarter - A-1-72 to A-43-72

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APPOINTMENT OF CONCILIATION OFFICER

TO DISPUTES ARISING DURING THE PERIOD

JANUARY 1st, 1972 to MARCH 31st, 1972

	DISPUTE	OFFICER
1.	A-1-72 Edmonton Concrete Block Co. Ltd., Edmonton and the Building, Construction and General Laborers' Union, Local 92, Edmonton and the International Union of Operating Engineers, Local 955, Edmonton.	C.T.A. HUTCHINGS
2.	A-2-72 Centurian Construction Limited, Edmonton and the United Brotherhood of Carpenters and Joiners of America, Local 1325, Edmonton.	T.T. GROTHEN
3.	A-3-72 Airliner Inn Ltd., Calgary and the Beverage Dispensers' International Union, Local 265, Edmonton.	L.Y. TAYLOR
4.	A-4-72 The City of Calgary and the Calgary Police Officer's Association, Calgary.	I.J. FLYNN
5.	A-5-72 Iko Industries Ltd., Calgary and the International Chemical Workers Union, Local 844, Calgary.	I.J. FLYNN

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6. A-6-72
Harsim Construction Ltd., St. Albert, Alberta and the United Brotherhood of Carpenters & Joiners of America, Local 2410, Red Deer. — W.M. PANGRASS

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7. A-7-72
Horne & Pitfield Foods Limited, Medicine Hat and the Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary. — L.Y. TAYLOR

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8. A-8-72
Horne & Pitfield Foods Limited, Calgary and the Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary. — L.Y. TAYLOR

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9. A-9-72
Horne & Pitfield Foods Limited, Lethbridge and the Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary. — L.Y. TAYLOR

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10. A-10-72
County of Newell No. 4, Brooks and the Canadian Union of Public Employees, Local 1032, (Public Works Employees), Calgary. — W.M. PANGRASS

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11. A-11-72
County of Newell No. 4, Brooks, Alberta and the Canadian Union of Public Employees, Local 1032, (Caretakers), Brooks, Alberta. — W.M. PANGRASS

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12. A-12-72
N. Pederson Transport Ltd., Calgary and the General Teamsters Union, Local 362, Calgary. — I.J. FLYNN

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13. A-13-72
Fischer's Plumbing and Heating Ltd., Medicine Hat and the United Association of Journeymen and Appentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. — L.Y. TAYLOR

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14. A-14-72
Western Plumbing and Heating Company, Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. — L.Y. TAYLOR

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15. A-15-72
Stark Plumbing and Heating Company, Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. — L.Y. TAYLOR

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16. A-16-72
Tony's Plumbing and Heating Ltd., Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. — L.Y. TAYLOR

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17. A-17-72
Pudwell and Peterson, Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. — L.Y. TAYLOR

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18. A-18-72
Chinook Beverages Limited, Lethbridge and the Driver Salesmen, Plant, Warehouse and Cannery Employees, Local 987, Calgary. — W.M. PANGRASS

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19. A-19-72
Truckers, Cartagemen, Construction and Building Material Employees, Local 362, Calgary and the Office & Professional Employees International Union, Local 379, Calgary. — W.M. PANGRASS

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20. A-20-72
Catelli-Habitant Ltd., Lethbridge and the Canadian Food & Allied Workers, Local 1115, Calgary. — W.M. PANGRASS

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21. A-21-72
Purity Bottling (1967) Ltd., Lethbridge and the Driver Salesmen, Plant, Warehouse and Cannery Employees, Local 987, Calgary. — W.M. PANGRASS

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22. A-22-72
Glass & Metal Association, representing certain employers as per Appendix "A" and the Glassworkers' Union, Local 1725, Calgary. — L.Y. TAYLOR

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23. A-23-72
Cal-Van Canus Catering Services Ltd., Calgary and the Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton. — C.T.A. HUTCHINGS

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24. A-24-72
Domtar Chemicals Ltd., Wood Preserving Division, Cochrane and the Creosote and Miscellaneous Employees Union, Local 658, Calgary. — L.Y. TAYLOR

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25. A-25-72
Domtar Chemicals Ltd., Wood Preserving Division, Edmonton and the Creosote and Miscellaneous Employees Union, Local 658, Calgary. — L.Y. TAYLOR

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26. A-26-72
Calgary Inn Limited, Calgary and the Hotel & Restaurant Employees Union, Local 282, Calgary. — W.M. PANGRASS

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27. A-27-72
D & H Construction Limited, Medicine Hat and the United Brotherhood of Carpenters & Joiners of America, Local 1569, Medicine Hat. — I.J. FLYNN

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28. A-28-72
Tom Brilz Construction Co. Ltd., Medicine Hat and the United Brotherhood of Carpenters & Joiners of America, Local 1569, Medicine Hat. — I.J. FLYNN

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29. A-29-72
Uniroyal Ltd., Chemical Division, Edmonton and the Oil, Chemical and Atomic Workers, Local 9-666, Edmonton. — C.T.A. HUTCHINGS

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30. A-30-72
Minburn-Vermilion Health Unit, Vermilion and the Alberta Association of Registered Nurses, Edmonton. — T.T. GROTHEN

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31. A-31-72
Wetoka Health Unit, Wetaskiwin and the Alberta Association of Registered Nurses, Edmonton. — T.T. GROTHEN

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32. A-32-72
Mount View Health Unit, Calgary and the Alberta Association of Registered Nurses, Edmonton. — W.M. PANGRASS

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33. A-33-72
C-E Natco Limited, Calgary and the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, Local 392, Calgary. — L.Y. TAYLOR

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34. A-34-72
Edmonton Public Library Board, Edmonton and the Civic Service Union, Local 52, Canadian Union of Public Employees. — C.T.A. HUTCHINGS

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35. A-35-72
Alberta Roadbuilders Association, Edmonton and the International Union of Operating Engineers, Local 955, Edmonton. — T.T. GROTHEN

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36. A-36-72
North Western Pulp & Power Ltd., Hinton and the International Brotherhood of Pulp, Sulphite & Paper Mill Workers, Local 855, Hinton. — T.T. GROTHEN

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37. A-37-72
Western Canada Steel Ltd., Calgary and the United Steelworkers of America, Local Union 6673, Calgary. — I.J. FLYNN

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38. A-38-72
Alberta East Central Health Unit, Stettler and the Alberta Association of Registered Nurses, Edmonton. — C.T.A. HUTCHINGS

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39. A-39-72
Sturgeon Health Unit, St. Albert, Alberta and the Alberta Association of Registered Nurses, Edmonton. — T.T. GROTHEN

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40. A-40-72
Vegreville Health Unit, Vegreville, Alberta and the Alberta Association of Registered Nurses, Edmonton. — C.T.A. HUTCHINGS

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41. A-41-72
Consolidated Concrete Ltd., Calgary and the General Teamsters Union, Local 362, Calgary. — L.Y. TAYLOR

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42. A-42-72
Edmonton School District No. 7, Edmonton and the Canadian Union of Public Employees, Local 474, Edmonton. — T.T. GROTHEN

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43. A-43-72
Old Dutch Foods Ltd., Calgary and the Canadian Food and Allied Workers, Local 373, Calgary. — I.J. FLYNN

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SYNOPSIS OF DISPUTES SETTLED

AT CONCILIATION OFFICER STAGE

JANUARY 1st, 1972 to MARCH 31st, 1972

DISPUTE	CONCILIATOR

1. A-198-71
The Lithographers and Photoengravers International Union, Local 206, Calgary and Zenith Graphics Ltd., Calgary. — I.J. FLYNN

BASIS OF SETTLEMENT:

1. Wages:
June 1, 1970 --- $4.06 per hour --- Journeyman Rate
Effective February 1, 1972 a maximum increase of five percent of Journeyman Rate of $4.36 per hour.

2. Miscellaneous:
Welfare Plan
As instituted by Company in May, 1971.
Equitable Life - paid for 50% by Company and 50% by Employee.
Alberta Health Care - paid for 50% by Company and 50% by Employee.

3. Term of Agreement:
One Year - May 15, 1971 to May 14, 1972.

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2. A-244-71
The Oil, Chemical and Atomic Workers International Union, Local 9-666, Edmonton and Canadian Industries Limited, Edmonton. — C.T.A. HUTCHINGS

BASIS OF SETTLEMENT:

1. Wages:
3 Feb. 72 - 8% Increase
15 Dec. 72 - 4% Increase
15 June 73 - 3% Increase

2. Union Security:
Rand formula - new hires except students and temporary.

3. Statutory Holidays:
Add: "Remembrance Day"

4. Miscellaneous:
Shift Differential 15¢ to 30¢ per hour.

5. Term of Agreement:
Two years

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3. A-245-71
The Retail Clerks' Union, Local 397, Calgary and Medicine Hat Co-Op, Medicine Hat, Alberta. L.Y. TAYLOR

BASIS OF SETTLEMENT:

1. Wages:

	Effective May 3/71	Effective Nov 1/71	Effective July 3/72	Effective Mar 5/73
Low	$1.70	$1.79	$1.86	$1.94
High	$3.40	$3.57	$3.83	$3.94

2. Miscellaneous:
Jury Duty: (Sec. 11, Sub-Sec. E) Amend to read: "Jury Duty and Material Witness".
Mechanical Tools: Company to pay premiums on insurance on Mechanics Tools.

3. Term of Agreement:
November 2, 1971 to November 1, 1973.

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4. A-246-71
The Hotel and Restaurant Employees and Bartenders International Union, Local 73, Lethbridge and Lethbridge Miners' Library Club, Lethbridge. W.M. PANGRASS

BASIS OF SETTLEMENT:

1. Wages:

	Previous	Jan. 1/72	Sept. 1/72	May 1/73
Low	$ 98.00	$102.90	$107.80	$112.70
High	$104.00	$108.90	$113.80	$118.70

2. Term of Agreement:
Two years - January 1, 1972 to December 31, 1973.

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5. A-1-72
The Building, Construction & General Labourers Union, Local 92, Edmonton, the International Union of Operating Engineers, Local 955, Edmonton and Edmonton Concrete Block Co. Ltd., Edmonton. C.T.A. HUTCHINGS

BASIS OF SETTLEMENT:

1. Wages:
Effective 3 Jan. 72 - Increase of 15¢ per hour
Effective 2 Apr. 72 - Increase of 30¢ per hour

2. Vacation Pay:
4 weeks after 15 years service

3. Term of Agreement:
One year

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6. A-2-72
The United Brotherhood of Carpenters & Joiners of America, Local 1325, Edmonton and Centurian Construction Limited, Edmonton. T.T. GROTHEN

BASIS OF SETTLEMENT:

All items as stated in the Alberta Construction Association Carpenters Agreement except for one school presently under construction at Evansburg.

1. Term of Agreement:
April 1, 1971 to March 31, 1973.

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7. A-3-72
The Beverage Dispensers International Union, Local 265, Calgary and Airliner Inn Ltd., Calgary. L.Y. TAYLOR

BASIS OF SETTLEMENT:

1. Wages:

	Previous Agreement	January 25, 1972
Bartender	$2.40	$2.65
Waitress	$1.65	$1.90

2. Hours of Work:
From 8:00 p.m. to 12:00 p.m. (midnight) with one hour tolerance terminating at 1:00 a.m., Monday through Friday.

3. Miscellaneous:
Should Prop Room remain in operation after the 1st June, 1972, Union shall have the right to reopen this Agreement for Wages only.

4. Term of Agreement:
January 25, 1972 to January 24, 1973.

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8. A-4-72
The Calgary Police Officer's Association, Calgary and The City of Calgary. I.J. FLYNN

BASIS OF SETTLEMENT:

1. Wages:

	1971 INDEX		INDEX	Jan 1/72	Jan 1/73
Chief	184	$18,481	184	$20,225	$21,992
Staff Inspector	169	$16,974	169	$18,576	$20,199
Inspector	154	$15,468	158	$17,367	$18,884

2. Vacation:
Effective Jan. 1/72 - 4 weeks vacation for members with more than 12 years service. Call-Back from Vacations - Clause 2.02 - 1½ days will be 2 days.

3. Miscellaneous:
Remuneration of Compensation Award - NEW CLAUSE ADDED.

4. Term of Agreement:
January 1, 1972 to December 31, 1973.

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9. A-6-72
The United Brotherhood of Carpenters & Joiners of America, Local 2410, Red Deer and Harsim Construction Ltd., St. Albert, Alberta. W.M. PANGRASS

BASIS OF SETTLEMENT:

All items as stated in the Alberta Construction Association Carpenters Agreement except for effective commencement date which is February 2, 1972 to March 31, 1973.

1. Term of Agreement:
February 2, 1972 to March 31, 1973.

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10. A-10-72
The Canadian Union of Public Employees, Local 1032, (Public Works Employees), Calgary and County of Newell No. 4, Brooks, Alberta. W.M. PANGRASS

BASIS OF SETTLEMENT:

1. Wages:

To those employees on payroll on date of ratification:

	Jan. 1/72	July 1/73
Low	$2.37	$2.64
High	$3.04	$3.39
Mechanic	$591.90	$659.34
Mechanic Heavy Duty	$661.17	$736.50
Welder	$591.90	$659.34

2. Vacation Pay:
Delete words "8 hours"; substitute "normal working".

Effective Jan. 1/72:	Effective Jan. 1/73:
1 yr - 2 weeks	1 yr - 2 weeks
8 yrs - 3 weeks	7 yrs - 3 weeks
18 yrs - 4 weeks	17 yrs - 4 weeks

3. Term of Agreement:
January 1, 1972 to December 31, 1973.

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11. A-11-72
The Canadian Union of Public Employees, Local 1032, (Caretakers), Calgary and County of Newell No. 4, Brooks, Alberta. W.M. PANGRASS

BASIS OF SETTLEMENT:

1. Wages:

To those employees on payroll date of ratification:

As per Schools:	Jan 1/72	July 1/73		Jan 1/72	July 1/73
Patricia	$138.59	$154.39	Rosemary	$495.87	$552.38
Rainier	243.08	270.78	Gem	263.74	293.79
Scandia	230.93	257.24			
Rolling Hills	446.05	496.87	Plumber	591.90	659.34
Tilley	433.89	483.34	Carpenter -	410.20	456.94
Duchess	495.87	552.38		- 477.04	531.40

2. Vacation:
Effective January 1, 1972: 1 yr. - 2 weeks
8 yrs. - 3 weeks
18 yrs. - 4 weeks

Effective January 1, 1973: 1 yr. - 2 weeks
7 yrs. - 3 weeks
17 yrs. - 4 weeks

3. Term of Agreement:
January 1, 1972 to December 31, 1973.

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12. A-19-72
The Office & Professional Employees International Union, Local 379, Calgary and Truckers, Cartagemen, Construction & Building Material Employees, Local 362, Calgary. W.M. PANGRASS

BASIS OF SETTLEMENT:

1. Wages:

January 1, 1972	January 1, 1973
$14.00 per week	$10.00 per week

2. Term of Agreement:
January 1, 1972 to December 31, 1973.

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13. A-22-72
The Glass Workers' Local Union 1725, Calgary and Glass and Metal Association, representing certain employers as per Appendix "A". L.Y. TAYLOR

BASIS OF SETTLEMENT:

1. Wages:

	Effective Aug/10/71	Effective Feb/10/72	Effective Aug/10/72	Effective Feb/10/73	Effective Aug/10/73
LOW:	$3.12	$3.23	$3.34	$3.45	$3.56
HIGH:	$4.65	$4.86	$5.07	$5.29	$5.50

2. Statutory Holidays:
Delete last sentence; add: If one of the above specified holidays falls on a Saturday or a Sunday, it shall be paid for at the regular rate of pay for the normal daily hours worked.

3. Term of Agreement:
Two years - February 10, 1972 to February 9, 1974.

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14. A-23-72
The Beverage Dispensers, Hotel Service, Culinary & Restaurant Employees Union, Local 579, Edmonton and Cal-Van Canus Catering Services Limited, Calgary. C.T.A. HUTCHINGS

BASIS OF SETTLEMENT:

1. Wages:

   1 Nov. 71 - Increase 27¢ per hour
   1 Nov. 72 - Increase 20¢ per hour

2. Vacation Pay:
   3 weeks @ 6% gross earnings after 5 years.

3. Miscellaneous:
   Split Shift premium - 15¢ per hour
   Night Shift premium - 15¢ per hour

4. Term of Agreement:
   Two years

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15. A-26-72
The Hotel and Restaurant Employees Union, Local 282, Calgary and Calgary Inn Limited, Calgary. W.M. PANGRASS

BASIS OF SETTLEMENT:

1. Wages:

	Mar/1/71	Mar/1/72	Mar/1/73	Mar/1/74
LOW:	$1.70 p/h	+18¢=$1.88	+14¢=$2.02	+14¢=$2.16
HIGH:	$1.80 p/h	+18¢=$1.98	+14¢=$2.12	+14¢=$2.26

   New Employees, Beginning Rate: 10¢ per hour less than classification rate for first 60 days of employment.

2. Term of Agreement:
   Three years - March 1, 1972 to February 28, 1975.

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16. A-32-72
The Alberta Association of Registered Nurses, Edmonton and Mount View Health Unit, Calgary. W.M. PANGRASS

BASIS OF SETTLEMENT:

1. Wages:

	Low	High
April 1, 1972		
Registered Nurse	$665.	$870.
Registered Nurse with B. Sc.	$685.	$900.
April 1, 1973		
Registered Nurse with D.P.H.N.	$705.	$930.
Registered Nurse with B. Sc.	$725.	$955.

2. Term of Agreement:
   April 1, 1972 to March 31, 1974.

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UNSUCCESSFUL RECOMMENDATIONS*
UNDER SECTION 91 (1) (b) **
JANUARY 1st, 1972 to MARCH 31st, 1972

	DISPUTE	CONCILIATION OFFICER
1.	A-225-71 The Grand Hotel, Edmonton and Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton.	T.T. GROTHEN
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2.	A-226-71 The Kingsway Motor Hotel, Edmonton and Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton.	T.T. GROTHEN
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3.	A-227-71 The Lincoln Hotel, Edmonton and Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton.	T.T. GROTHEN
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4.	A-228-71 The Leland Hotel, Edmonton and Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton.	T.T. GROTHEN
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5.	A-242-71 The Sungold Manufacturing Ltd., Calgary and International Woodworkers of America, Local 1-206, Blairmore, Alberta.	W.M. PANGRASS
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6.	A-243-71 The Chemcell Ltd., Edmonton and Oil, Chemical and Atomic Workers International Union, Local 9-666, Edmonton.	T.T. GROTHEN
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* Successful Recommendations are included with Settlements of Disputes at the Conciliation Officer Stage.

** Pursuant to Section 91 (1) (b) of The Alberta Labour Act the Conciliation Commissioner recommends that his Recommendation shall take the place of, and have the same effect as, an award of a Conciliation Board.

7. A-5-72
Iko Industries Ltd., Calgary and International Chemical Workers Union, Local 844, Calgary. — I.J. FLYNN

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8. A-7-72
Horne & Pitfield Foods Limited, Medicine Hat and Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary. — L.Y. TAYLOR

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9. A-8-72
Horne & Pitfield Foods Limited, Calgary and Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary. — L.Y. TAYLOR

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10. A-12-72
N. Pedersen Transport Ltd., Calgary and General Teamsters Local Union No. 362, Calgary. — I.J. FLYNN

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11. A-18-72
Chinook Beverages Limited, Lethbridge and Driver Salesmen, Plant, Warehouse and Cannery Employees, Local 987, Calgary. — W.M. PANGRASS

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12. A-20-72
Catelli - Habitant Ltd., Lethbridge and Canadian Food & Allied Workers, Local 1115, Calgary. — W.M. PANGRASS

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13. A-21-72
Purity Bottling (1967) Ltd., Lethbridge and Driver Salesmen, Plant, Warehouse and Cannery Employees, Local Union No. 987, Calgary. — W.M. PANGRASS

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14. A-24-72
Domtar Chemicals Ltd., Wood Preserving Division, Cochrane and Creosote and Miscellaneous Employees, Local Union 658, Calgary. — L.Y. TAYLOR

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15. A-25-72
Domtar Chemicals Ltd., Wood Preserving Division, Edmonton and Creosote and Miscellaneous Employees, Local Union 658, Calgary. — L.Y. TAYLOR

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16. A-29-72
Uniroyal Ltd., Chemical Division, Edmonton and Oil, Chemical and Atomic Workers, Local 9-666, Edmonton. — C.T.A. HUTCHINGS

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DISPUTES CANCELLED

AT CONCILIATION OFFICER STAGE

JANUARY 1st, 1972 to MARCH 31st, 1972

1. A-9-72
Horne & Pitfield Foods Limited, Lethbridge and the Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary. L.Y. TAYLOR

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2. A-13-72
Fischer's Plumbing and Heating Ltd., Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. L.Y. TAYLOR

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3. A-14-72
Western Plumbing and Heating Co., Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. L.Y. TAYLOR

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4. A-15-72
Stark Plumbing and Heating Co., Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. L.Y. TAYLOR

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5. A-16-72
Tony's Plumbing and Heating Ltd., Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. L.Y. TAYLOR

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6. A-17-72
Pudwell & Peterson, Medicine Hat and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 496, Calgary. L.Y. TAYLOR

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DISPUTES PENDING AT CONCILIATION OFFICER STAGE AS AT MARCH 31st, 1972

DISPUTE NUMBER	DISPUTE NUMBER	DISPUTE NUMBER	DISPUTE NUMBER
A-165-71	A-28-72	A-35-72	A-40-72
A-205-71	A-30-72	A-36-72	A-41-72
A-207-71	A-31-72	A-37-72	A-42-72
A-215-71	A-33-72	A-38-72	A-43-72
A- 27-72	A-34-72	A-39-72	

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SUMMARY OF DISPOSITION OF DISPUTES AT CONCILIATION OFFICER STAGE JANUARY 1st, 1972 to MARCH 31st, 1972

Conciliations pending as of January 1st, 1972	14
Appointments during the period	43
TOTAL	57

DISPUTES	
Settled	16
Referred to a Conciliation Board	0
Referred to an Arbitration Board	0
Unsuccessful Recommendations Under Section 91 (1) (b)	16
Cancelled	6
Pending at March 31st, 1972	19
TOTAL	57

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SYNOPSIS OF CONCILIATION

BOARD AWARDS

JANUARY 1st, 1972 to MARCH 31st, 1972

1. A-201-71
The International Woodworkers of America, Local 1-206, Blairmore, Alberta and Boise Cascade Home and Land Ltd., Lethbridge, Alberta.

Chairman - Dr. C.D. Stewart
Company Member - Mr. K.C. Barrass
Union Member - Mr. R. Jamha

Majority Award - Union Member Dissenting.

The Board Recommended:

1. Wages:
Lead hands to receive 25¢ per hour over the highest wage in that group. Front end sawyer to be paid the Group I rate when the majority of his time is spent on this operation.

Effective August 1st, 1971.

	Starting	30 working days	60 working days
Welders, Maintenance, Cabinet Sawyers, Partition Sawyers, Shipping & Receiving Clerks	$2.70	$2.92	$3.15
Production Workers	$2.44	$2.66	$2.94

Effective August 1st, 1972 an increment of 20¢ per hour to be awarded to all employees.

2. Vacations With Pay:
One to five years service - 2 weeks with 4% of regular pay
Five or more years service - 3 weeks with 6% of regular pay

3. Statutory Holidays:
Add Lethbridge Civic Holiday.

Should two consecutive statutory holidays occur during one work week, the plant will be shut down for the full work week, without pay, provided business conditions permit.

4. Funeral Pay:
Include "brother-in-law and sister-in-law".

5. Duration of Agreement:
August 1, 1971 to July 31, 1973.

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2. A-206-71

The International Association of Bridge, Structural and Ornamental Iron Workers, Shopmen's Local Union No. 805 and Flextrac Nodwell Limited, Calgary, Alberta.

Chairman - Mr. D.G. Skagen
Company Member - Mr. R. Neuman
Union Member - Mr. W. Gray

Unanimous Award.

The Board Recommended:

1. Hours of Work:

   There shall be a ten minute rest period immediately prior to overtime which follows an eight hour shift and an additional 10 minute rest period every two hours thereafter when further overtime is to be worked.

   When work in excess of twelve hours to be performed on a day shift, the employer shall be allowed a twenty minute paid lunch period to partake of a meal which shall be obtained by the employer.

2. Overtime:

   One and one-half times employees current regular straight time for the first three hours overtime and double time thereafter.

3. Holidays/Holiday Pay:

   Include Remembrance Day to list of holidays.

4. Rates of Pay:

   General wage increases to be effected as follows -

   July 10th, 1971 - 15¢ per hour
   Date of ratification - 15¢ per hour
   January 1st, 1973 - 15¢ per hour
   July 1st, 1973 - 15¢ per hour

   Shift premiums to be increased to 15¢ per hour for the second shift and 20¢ per hour for the third shift.

5. Vacations:

   Three weeks vacation after seven years of service in the first year of this agreement and three weeks after six years service in the second year of this agreement.

6. Welfare Benefits:

   Weekly sick or accident benefit to be increased from 55% of regular weekly wage to 60% of regular weekly wage.

7. Term of Agreement:

   Two years commencing from date of ratification.

* * * * * *

THE ALBERTA LABOUR ACT

V O T E S

SELECTION OF A BARGAINING AGENT

JANUARY 1st, 1972 to MARCH 31st, 1972

	UNION	COMPANY	RESULT: EMPLOYEES VOTED
1.	The Canadian Union of Public Employees, Local 1058, Calgary and Rockyview Hospital Employee's Association, Calgary.	Rockyview General Hospital, Calgary. Board of Trustees, Rockyview Hospital District 93, Calgary.	FOR
	* * * * * *		
2.	The International Brotherhood of Electrical Workers, Local 254, Calgary.	Calgary Power Ltd., Calgary.	FOR
	* * * * * *		
3.	The International Association of Bridge, Structural & Ornamental Ironworkers, Local 720, Edmonton.	Collins Steel Products Limited, Edmonton.	FOR
	* * * * * *		
4.	The Amalgamated Meat Cutters and Butcher Workmen of North America, Local P-280, Edmonton.	Northern Alberta Dairy Pool Limited, Thorsby.	FOR
	* * * * * *		

V O T E S

CONCILIATION BOARD AWARDS

JANUARY 1st, 1972 to MARCH 31st, 1972

	UNION	COMPANY	RESULT
1.	A-188-71 The International Association of Bridge, Structural & Ornamental Iron Workers, Local 776, Edmonton.	Edmonton Iron & Wire Works Ltd., Edmonton.	Employees Accepted. Employer Rejected.
	* * * * * *		
2.	A-201-71 The International Woodworkers of America, Local 1-206, Blairmore.	Boise Cascade Home & Land Ltd., Lethbridge.	Employees Accepted. Employer Accepted.
	* * * * * *		
3.	A-206-71 The International Association of Bridge, Structural & Oranmental Iron Workers, Local 805, Calgary.	Flextrac Nodwell Limited, Calgary.	Employees Rejected. Employer Rejected.
	* * * * * *		

V O T E S

STRIKE ACTION

JANUARY 1st, 1972 to MARCH 31st, 1972

	UNION	COMPANY	RESULT
1.	A-206-71 The International Association of Bridge, Structural & Ornamental Iron Workers, Local 805, Calgary.	Flextrac Nodwell Limited, Calgary.	Employees Voted For.
	* * * * * *		
2.	A-217-71 The Oil, Chemical & Atomic Workers International Union, Local 9-658, Edmonton.	Husky Oil Limited, Lloydminster, Alberta.	Employees Voted For.
	* * * * * *		
3.	A-218-71 The International Association of Bridge, Structural & Ornamental Iron Workers, Local 805, Calgary.	Rhodes Vaughan & Co. Ltd., Calgary.	Employees Voted For.
	* * * * * *		
4.	A-226-71 The Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton.	Kingsway Motor Hotel, Edmonton.	Employees Voted For.
	* * * * * *		
5.	A-227-71 The Beverage Dispensers, Hotel Service, Culinary and Restaurant Employees Union, Local 579, Edmonton.	Lincoln Hotel, Edmonton.	Employees Voted For.
	* * * * * *		
6.	A-243-71 Oil, Chemical & Atomic Workers International Union, Local 9-666, Edmonton.	Chemcell Ltd., Edmonton.	Employees Voted For.
	* * * * * *		

7.	A-7-72 The Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary.	Horne & Pitfield Foods Limited, Medicine Hat.	Employees Voted For.

* * * * * *

8.	A-8-72 The Driver Salesmen, Plant, Warehouse and Cannery Employees of Alberta, Local 987, Calgary.	Horne & Pitfield Foods Limited, Calgary.	Employees Voted For.

* * * * * *

9.	A-20-72 The Canadian Food and Allied Workers, Local 1115, Calgary.	Catelli-Habitant Ltd., Lethbridge.	Employees Voted For.

* * * * * *

10.	A-29-72 The Oil, Chemical & Atomic Workers International Union, Local 9-666, Edmonton.	Uniroyal Ltd., Chemical Division, Edmonton.	Employees Voted For.

* * * * * *

SECTION 80

APPLICATION FOR DECLARATION

AS TO SUCCESSOR RIGHTS

I S S U E D

JANUARY 1st, 1972 to MARCH 31st, 1972

1. The Amalgamated Meat Cutters and Butcher Workmen of North America, Local P280, Edmonton and Edmonton Cold Storage Company (Division of Doric Investment Ltd.), Edmonton.

   Varied to above from: "The United Packinghouse Workers of America, Local 345."

   Declaration Number: 1 - 72 Amended January 26, 1972.

* * * * * *

2. The Canadian Union of Public Employees, Local 924, Grande Prairie and Dustbane Enterprises Ltd., Modern Building Cleaning Division, Edmonton.

   Varied to above from: "Canadian Union of Public Employees, Local Union 992, Dustbane Enterprises Employees, Grande Prairie."

   Declaration Number: 2 - 72 Amended January 26, 1972.

* * * * * *

3. The Office and Professional Employees International Union, Local 458, Edmonton, and Edmonton Pipe Industry Health and Welfare Fund, Edmonton.

   Varied to above from: "Office & Professional Employees International Union, Local #379, Calgary Alberta."

   Declaration Number: 3 - 72 Amended March 7, 1972.

* * * * * *

4. The Office and Professional Employees International Union, Local 458, Edmonton, Alberta and Alberta Federation of Labour, Edmonton, Alberta.

   Varied to above from: "Office and Professional Employees' International Union, Local #379, Calgary, Alberta."

   Declaration Number: 4 - 72 Amended March 8, 1972.

* * * * * *

5. The Office and Professional Employees International Union, Local 458, Edmonton, Alberta and Operating Engineers Health-Welfare Fund, Edmonton.

   Varied to above from: "Office and Professional Employees International Union, Local #379, Edmonton, Alberta."

   Declaration Number: 5 - 72 Amended March 8, 1972.

* * * * * *

6. The Office and Professional Employees International Union, Local 458, Edmonton and Building, Construction and General Laborers Union, Local 92, Edmonton.

Varied to above from: "Office and Professional Employees International Union, Local 379, Edmonton, Alberta."

Declaration Number: 6 - 72 Amended March 22, 1972.

* * * * * *

7. The Office and Professional Employees International Union, Local 458, Edmonton and United Brotherhood of Carpenters and Joiners of America, Local Union No. 1325, Edmonton.

Varied to above from: "Office and Professional Employees International Union, Local No. 379, Calgary, Alberta."

Declaration Number: 7 - 72 Amended March 22, 1972.

* * * * * *

STRIKES AND LOCKOUTS - ALBERTA

ARISING FROM

JANUARY 1st, 1972 to MARCH 31st, 1972

1. A-200-71
Black Sivalls & Bryson Ltd. and the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, Local 146, Edmonton.

Number of Workers:	58
Starting Date:	November 17, 1971.
Termination Date:	January 24, 1972.
Working Days Lost During Quarter:	15
Man Days Lost During Quarter:	870

* * * * * *

2. A-206-71
Flextrac Nodwell Limited, Calgary and the International Association of Bridge, Structural and Ornamental Iron Workers, Shopmen's Local Union No. 805, Calgary.

Number of Workers:	212
Starting Date:	February 26, 1972.
Termination Date:	Still in effect.
Working Days Lost During Quarter:	24
Man Days Lost During Quarter:	5,088

* * * * * *

APPENDIX A

REASONS FOR DECISION

I. IN THE MATTER OF

The Alberta Labour Act

and

* International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta.	Applicant

and

Enerson Motors Limited, Lethbridge, Alberta.	Respondent

REASONS FOR DECISION

This is an application for certification of a bargaining agent received by the Board on November 3, 1971, affecting a unit of employees of the Respondent comprising:- "Mechanics, Bodymen, Partsmen and Apprentices."

In support of its application the Applicant supplied evidence of application for membership made by 20 of the 37 employees who according to the Respondent's list of employees were in the unit applied for on November 3, 1971, the date of application. The evidence consists of signed application for membership cards which contain the following statement:-

> "I hereby tender my application for membership in the International Association of Machinists and Aerospace Workers with initiation or reinstatement fee of $2.00. If accepted I will obey the laws of the International Association of Machinists and Aerospace Workers and promote its interests, and further its principles. You are hereby authorized to act as my representative for collective bargaining."

Each of the 20 persons making application for membership paid initiation fees of $2.00 and received receipts for such payments.

Counsel for the Respondent filed on November 12, 1971, a letter of objection to the application indicating that the unit chosen by the Applicant was improper because it does not emcompass employees that are directly concerned with each other and pointed out that it fails to include the preparers, sanders, polishers, grease rack operators, front end employees, tower operators, service

* See No. 11, Page 26, 4th Quarter Bulletin, 1971.

order writers, floor jockeys, janitors and maintenance men, wash rack attendants, new car set up men, used car reconditioning employees, tow truck drivers, delivery truck drivers, lot and floor boys, carpenters and handymen.

The letter filed on November 12, 1971, further expressed the position held by the Respondent that the Applicant had not been selected by a majority of employees affected by the application and to support this contention a petition containing 32 signatures was attached with the following heading:-

> "We the undersigned being employees of Enerson Motors Ltd. wish to advise the Board of Industrial Relations for the Province of Alberta by way of this petition, that we do not want the International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta, to act as bargaining agent in negotiations with our employer. We herewith repudiate any past actions and requests to have a bargaining agent certified to represent us in any negotiations with our employer. This petition is signed voluntarily by the undersigned and dated the day of signing."

On December 9, 1971, the Board designated the Executive Committee to exercise its full powers and duties and to hear and determine this application pursuant to Section 6(2) of the Act. Hereinafter, the "Executive Committee" is referred to as the "Board."

On December 10, 1971, a hearing was held in Lethbridge attended by representatives of the Applicant, Respondent and of certain employees affected by the application.

At the hearing the Respondent reiterated and enlarged upon the position set out in the November 12, 1971 letter that the unit was not an appropriate unit for collective bargaining and that the majority of the employees do not desire the Applicant to represent them as bargaining agent and, therefore, the application should be refused. The latter position of the Respondent was adopted in the submissions and evidence adduced by the representatives of certain employees.

The Applicant in reply submitted that the unit was an appropriate unit and suggested it is not incumbent for the Board to determine the most appropriate unit for collective bargaining in view of the provisions of section 63 of the Act. It was further submitted that evidence had been provided the Board that a majority of employees had selected the Applicant as bargaining agent pursuant to section 63(3)(c)(i) of the Act and that it was, therefore, entitled to outright certification.

Section 63 of the Act is as follows:-

"(1) The Board, before disposing of an application for certification of a bargaining agent, may

(a) make such inquiry, require the production of such evidence and the doing of such things or hold such votes as it considers appropriate,

(b) include or exclude employees from the unit that is claimed by the applicant to be appropriate for collective bargaining, and

(c) alter or amend the description of the unit of employees affected by the application for certification of a bargaining agent.

(2) The Board shall complete its inquiries into the application

(a) within a period of 21 days after it receives the application, or

(b) when additional time is required by the Board, within a further period of 21 days or such longer period as may be fixed by the Chairman.

(3) If the Board is satisfied

(a) that the applicant for certification as a bargaining agent is a proper bargaining agent,

(b) that the unit of employees in the unit is an appropriate unit for collective bargaining, and

(c) that

(i) a majority of the employees in the unit have selected the applicant to be a bargaining agent on behalf of the employees in the unit by membership in good standing or by having applied for membership and by having paid on his own behalf to the applicant a sum of not less than $2 on or not longer than three months before the date the application for certification was made, or

(ii) a majority of the employees in the unit entitled to vote have selected the applicant to be a bargaining agent on behalf of the employees in the unit by the result of a vote or votes conducted or supervised by the Board, of those employees who were employees in the unit on the date the application was made or on such other date or dates as may be fixed by the Board,

the Board shall certify the applicant to be the bargaining agent on behalf of the employees in the unit, but if the Board is not satisfied in respect of any of the matters set out in the clauses (a) to (c), the Board shall refuse to certify the applicant."

In reviewing the jurisdictional provisions of the constitution of the Applicant the Board was satisfied that all categories of persons in the proposed unit were eligible for membership with the Applicant. The Board was also of the opinion that the Applicant has jurisdiction to represent classifications of employees set out in the letter of November 12, 1971, from the counsel for the Respondent.

It is a matter of record that the Applicant filed other applications for certification as bargaining agent with the Board on November 3, 1971, affecting other automotive establishments seeking to represent additional classifications of employees not claimed in this application.

In the opinion of the Board in an automotive establishment of this nature where a craft union such as the Applicant purports to represent classifications of employees beyond craft classifications such representation should not be restricted to less than an appropriate industrial or shop unit where the trade union has jurisdiction to represent such a unit. It appears to the Board that the Applicant instead of making application to represent employees within an "all employee type shop unit" has applied to represent employees in a bargaining unit shaped by the extent of organization made by the Applicant.

Taking all factors into consideration, the Board was not satisfied that the unit of employees described in the application is an appropriate unit for collective bargaining and refused to certify the International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta, as bargaining agent for employees of Enerson Motors Limited, Lethbridge, Alberta.

Although unnecessary as a consequence of the above conclusion, the Board considers it advisable to comment upon the issues raised by the Respondent and representatives of certain employees as to majority selection of the Applicant by employees in view of the petition received by the Board which served to repudiate any past actions and requests to have the Applicant certified as bargaining agent.

Apart from other considerations, if in calculating the weight to be attributed to documents and supporting evidence of this nature, they are held to weaken evidence provided by an applicant trade union as to its selection as

bargaining agent by a majority of employees in a unit, the Board would usually direct a vote be conducted to obtain confirmatory evidence of the wishes of the employees. On the other hand, if it is held that the documents and supporting evidence do not weaken the evidence of the Applicant, the Applicant would be entitled to certification without a vote.

As an employee, in view of the responsive nature of his relationship with his employer is obviously vulnerable to influences, obvious or otherwise which may have the effect of impairing the free exercise of his rights under the Act, the Board requires evidence in a form or nature which will provide some reasonable assurance that a document such as a petition, signed by employees purporting to express opposition to certification of a trade union truly and accurately reflects the free and uninhibited wishes of the signatories. The evidence before the Board in the instant application indicated that the petition heading was prepared by the service manager who would be considered as part of management. Also, the petition was circulated in the shop during working hours and the original copy of the petition was forwarded to the Board through management.

In the event the Board had been required to give consideration to the petition it is very likely that management's involvement in its preparation and transmission would have negated any weight that might otherwise have been given to the petition as evidence.

Issued at the City of Edmonton, in the Province of Alberta, this 9th day of February, 1972, by the Board of Industrial Relations and signed by its Chairman.

II. IN THE MATTER OF

The Alberta Labour Act

and

* International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta.	Applicant

and

Dunlop Ford Sales Ltd., Lethbridge, Alberta.	Respondent

REASONS FOR DECISION

This is an application for certification of a bargaining agent received by the Board on November 3, 1971, affecting a unit of employees of the Respondent comprising:- "Mechanics, Bodymen, Partsmen, Parts Truck Drivers, Lube Men, Apprentices and Helpers."

In support of its application the Applicant supplied evidence of application for membership made by 14 of 30 employees who according to the Respondent's list of employees were in the unit applied for on November 3, 1971, the date of application. The evidence consists of signed application for membership cards which contain the following statement:-

> "I hereby tender my application for membership in the International Association of Machinists and Aerospace Workers with initiation or reinstatement fee of $2.00. If accepted I will obey the laws of the International Association of Machinists and Aerospace Workers, and promote its interests, and further its principles. You are hereby authorized to act as my representative for collective bargaining."

Each of the 14 persons making application for membership paid initiation fees of $2.00 and received receipts for such payments.

On December 9, 1971, the Board designated the Executive Committee to exercise its full powers and duties and to hear and determine this application pursuant to Section 6(2) of the Act. Hereinafter, the "Executive Committee" is referred to as the "Board."

On December 10, 1971, a hearing was held in Lethbridge attended by representatives of the Applicant, Respondent and of certain employees affected by the application.

* See No. 12, Page 26, 4th Quarter Bulletin, 1971.

The Respondent held the position that the application should be refused as the unit was not an appropriate unit for collective bargaining in that it failed to include all employees with similar working conditions and further that the Applicant did not appear to have been selected by a majority of employees in the unit.

Representatives of certain employees affected by the application submitted in evidence a petition containing the signatures of 20 persons under the following heading:-

> "We, the undersigned, being employees of Dunlop Ford Sales Ltd., wish to advise the Board of Industrial Relations for the Province of Alberta that we do not want the International Association of Machinists and Aerospace Workers, to act as bargaining agents in negotiations with our employer. The petition is signed and dated voluntarily by the undersigned:"

The applicant submitted that the unit was an appropriate unit for collective bargaining and that it would lead evidence to satisfy the Board that a majority of employees in the unit had selected the applicant as bargaining agent.

Under questioning representatives of the Respondent agreed that incorrect advice was given verbally to the officer of the Board prior to the hearing as to the classifications of five employees included within the total of 30 employees in the unit. It was determined that the five persons occupy positions outside the unit applied for thereby reducing the total number of employees in the unit to 25 of which 14 had selected the Applicant as bargaining agent. Ten of the names on the petition corresponded with names of employees in the unit, on date of application, none of whom had made application for membership with the Applicant.

In reviewing the jurisdictional provisions of the constitution of the Applicant the Board was of the opinion, that in addition to the classifications of employees applied for, the Applicant has jurisdiction to represent additional classifications of employees with similar conditions of employment. It is a matter of record that the Applicant filed certain other applications for certification as bargaining agent with the Board on November 3, 1971, affecting other automotive establishments seeking to represent additional classifications of employees not claimed in this application.

In the opinion of the Board in an automotive establishment of this nature where a craft union such as the Applicant purports to represent classifications of employees beyond craft classifications such representation should not be restricted to exclude classifications of employees whom the trade union has jurisdiction to represent. It appears to the Board that the Applicant, instead of making application to represent employees within an "all employee type shop unit" has applied to represent employees in a bargaining unit shaped by the extent of organization carried out by the Applicant.

Taking all factors into consideration the Board was not satisfied that the unit of employees described in the application is an appropriate unit for collective bargaining and refused to certify the International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta, as bargaining agent for employees of Dunlop Ford Sales Ltd., Lethbridge, Alberta.

Although unnecessary as a consequence of the above conclusion, the Board considers it advisable to comment upon the issues raised by the Respondent and representatives of certain employees as to majority selection of the Applicant by employees in view of the petition received by the Board which served to repudiate any past actions and requests to have the Applicant certified as bargaining agent.

Apart from other considerations, if in calculating the weight to be attributed to documents and supporting evidence of this nature, they are held to weaken evidence provided by an applicant trade union as to its selection as bargaining agent by a majority of employees in a unit, the Board would usually direct a vote be conducted to obtain confirmatory evidence of the wishes of the employees. On the other hand, if it is held that the documents and supporting evidence do not weaken the evidence of the Applicant, the Applicant would be entitled to certification without a vote.

As an employee, in view of the responsive nature of his relationship with his employer is obviously vulnerable to influence, obvious or otherwise which may have the effect of impairing the free exercise of his rights under the Act, the Board requires evidence in a form or nature which will provide some reasonable assurance that a document such as a petition, signed by employees purporting to express opposition to certification of a trade union truly and accurately reflects the free and uninhibited wishes of the signatories.
The evidence adduced indicated that representatives of management held staff discussions with employees affected by the application subsequent to the advice from the Board that the application had been made and indicated that they were

unhappy of the action taken. It is further indicated that the individual who prepared the petition arranged for its circulation during working hours and suffered no loss of wages for the time spent in its circulation.

In the event the Board had been required to give consideration to the petition it is very likely that management's involvement in meeting with employees and permitting an employee to circulate the petition during working hours without loss of pay would have negated any weight that might have otherwise been given to the petition as evidence.

The Board is most concerned that the employer would give incorrect information to the officer of the Board as to classifications of employees, as the Board must rely on facts ascertained through such investigation. Incorrect facts can frustrate the efforts of the Board to carry out its responsibilities in administrating the Act.

Issued at the City of Edmonton, in the Province of Alberta, this 9th day of February, 1972, by the Board of Industrial Relations and signed by its Chairman.

III. IN THE MATTER OF

The Alberta Labour Act

and

*International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta. — Applicant

and

King Chrysler Dodge Limited, Lethbridge, Alberta. — Respondent

REASONS FOR DECISION

This is an application for certification of a bargaining agent received by the Board on November 3, 1971, affecting a unit of employees of the Respondent comprising:- "Mechanics, Bodymen, Partsmen, Parts Truck Drivers, Used Car Reconditioners, Janitors, Apprentices and Helpers."

In support of its application, the Applicant supplied evidence of application for membership made by 9 of the 13 employees who, according to the Respondent's list of employees, were in the unit applied for on November 3, 1971, the date of application. The evidence consists of signed application for membership cards which contain the following statement:-

> "I hereby tender my application for membership in the International Association of Machinists and Aerospace Workers with initiation or reinstatement fee of $2.00. If accepted I will obey the laws of the International Association of Machinists and Aerospace Workers and promote its interests, and further its principles. You are hereby authorized to act as my representative for collective bargaining."

Each of the 9 persons making application for membership paid initiation fees of $2.00 and received receipts for such payments.

On December 9, 1971, the Board designated the Executive Committee to exercise its full powers and duties and to hear and determine this application pursuant to section 6(2) of the Act. Hereinafter, the "Executive Committee" is referred to as the "Board".

* See No. 49, Page 21, 4th Quarter Bulletin, 1971.

On December 10, 1971, a hearing was held in Lethbridge attended by representatives of the Applicant and Respondent.

The parties agreed that the classifications of employees applied for by the Applicant encompassed "an all employee type shop unit" and the Board considered it advisable to amend the unit of employees described in the application to comprise:- "All employees except office, salesmen and supervisory staff with the right to hire and fire."

The Respondent held the position that the Board should conduct a vote of employees to ascertain their wishes in the matter of the application. In support of this request, the Respondent alleged that incidents had taken place between his employees and employees of other establishments affected by similar applications that could have had an undue or improper influence on his employees in the selection of a bargaining agent and suggested that a vote would clearly remove any confusion with respect to the situation. The Applicant argued that it is not possible to prevent employees of firms affected by an organizing campaign of a trade union from contacting one another and submitted that any such contact in no way impairs the evidence before the Board of majority selection.

The Board did not consider that any evidence had been adduced that could be held to weaken the evidence provided by the Applicant as to its selection as bargaining agent by a majority of employees in the unit.

The Board was satisfied that the Applicant is a proper bargaining agent, that the unit of employees as amended is an appropriate unit for collective bargaining and that the majority of the employees in the unit as amended had selected the Applicant as bargaining agent.

Therefore, it was the decision of the Board that the certificate issue.

Issued at the City of Edmonton, in the Province of Alberta, this 9th day of February, 1972, by the Board of Industrial Relations and signed by its Chairman.

IV. IN THE MATTER OF

The Alberta Labour Act

and

*International Association of Machinists and Aerospace Workers, Local Lodge 1722, Edmonton, Alberta.	Applicant

and

Fairfax Service (Leth) Ltd., Fairfax Sales (Leth) Ltd. and Beny Chevrolet Oldsmobile (1959) Ltd. carrying on business in the name and style of Beny Chevrolet Oldsmobile, Lethbridge, Alberta.	Respondent

REASONS FOR DECISION

This is an application for certification of a bargaining agent received by the Board on November 3, 1971, affecting a unit of employees of the Respondent comprising:- "Mechanics, Bodymen, Service Writers, Used Car Conditioners, Partsmen, Parts Truck Drivers, Lube Men, Washrack Men, Cleanup man and Apprentices."

In support of its application the Applicant supplied evidence of application for membership made by 23 of 30 employees who according to the Respondent's list of employees fell within the classifications in the unit applied for on November 3, 1971, the date of application. The evidence consists of signed application for membership cards which contain the following statement:-

> "I hereby tender my application for membership in the International Association of Machinists and Aerospace Workers with initiation or reinstatement fee of $2.00. If accepted I will obey the laws of the International Association of Machinists and Aerospace Workers, and promote its interests, and further its principles. You are hereby authorized to act as my representative for collective bargaining."

Each of the 23 persons making application for membership paid initiation fees of $2.00 and received receipts for such payments.

* See No. 51, Page 22, 4th Quarter Bulletin, 1971.

On December 9, 1971, the Board designated the Executive Committee to exercise its full powers and duties and to hear and determine this application pursuant to Section 6(2) of the Act. Hereinafter, the "Executive Committee" is referred to as the "Board."

On December 10, 1971, a hearing was held in Lethbridge attended by representatives of the Applicant, Respondent and of certain employees affected by the application.

Counsel for the Respondent submitted that a total of 9 additional persons, employed on the date of application, enjoyed similar conditions of employment as those in the classifications described in the unit claimed appropriate for collective bargaining. The classifications of the 9 employees included Car Jockey, Service Cashier, Used Car Clean-up, Parts Shipper, Service Attendent and Parts Traveller.

The Respondent held the position that the Board should conduct a vote of the employees to ascertain whether the majority had selected the Applicant to be their bargaining agent, a position adopted also by representatives of certain employees. In addition, representatives for certain employees raised the question as to whether the Applicant was a proper bargaining agent with jurisdiction to represent affected employees.

The Applicant in reply submitted that it had provided evidence as to majority selection and that it has authority under its constitution to represent all employees. The Applicant argued that it was, therefore, entitled to outright certification.

The Board in reviewing the constitution of the Applicant was satisfied that the jurisdiction is of sufficient scope to permit the Applicant to represent persons employed by automotive establishments of this nature within "an all employee type shop unit."

The Board was further of the opinion that the classifications of employees applied for by the Applicant generally encompassed "an all employee type shop unit" and considered it advisable to amend the unit of employees described in the application to comprise "all employees except office, salesmen and supervisory staff with the right to hire and fire". The Board considered that the one individual classified as a "Parts Traveller" is a salesman on the basis of the evidence adduced with respect to his duties and this individual is therefore excluded from the amended unit. A total of 38 persons were therefore employed in the amended unit on November 3, 1971, the date of application.

In support of its position that a vote should be conducted to ascertain whether a majority of employees had selected the Applicant to be their bargaining agent, a copy of a document was filed with the Board by representatives of certain employees. The heading on the document is as follows:-

> "We, the undersigned, being employees of Beny Chevrolet Oldsmobile, wish to advise the Board of Industrial Relations for the Province of Alberta that we do not want the International Association of Machinists and Aerospace Workers to act as bargaining agents in negotiations with our employer -- not withstanding that we may have signed a petition for union representation at an earlier date. This petition is signed voluntarily by the undersigned."

The document contains the signatures of 21 persons of whom 17 are identifiable as being employed within the unit as amended on the date of application. Ten of the signatories to the petition had signed application for membership cards with the Applicant.

If in calculating the weight to be attributed to documents of this nature, they are held to weaken the evidence provided by the Applicant as to its selection as bargaining agent of a majority of employees, the Board would usually direct a vote be conducted to obtain confirmatory evidence of the wishes of the employees. On the other hand, if it is held that the documents do not weaken the evidence of the Applicant, apart from any other consideration, the Applicant would be entitled to certification without a vote.

From the evidence adduced at the hearing, the Board is satisfied that the petition circulated by a Mr. A. Ponech, Tower Operator without loss of pay among employees during working hours, was prepared and circulated with the encouragement and consent of Management. Mr. Ponech, in his testimony, indicated he had met with Mr. Steen, General Manager, on about 10 occasions from the time the application was made up to December 10, 1971, the date of the hearing, and had several discussions with respect to the matter of the application and circulation of a petition opposing the application. He also indicated that Mr. Steen handed him the petition with the typed-in heading which he then circulated and returned to the office. Mr. Ponech also testified that he is a long term employee of the firm and that when the occasion arises, he undertakes to canvass employees in respect of matters of interest to Management and other matters such as collection of money for gifts to the General Manager.

Testimony from employees indicated that Mr. Steen convened two meetings of shop employees at one week intervals immediately prior to the date the application was made. From evidence submitted, the Board is satisfied that the discussions covered the matter of discontent among employees with respect to conditions of employment. The Board also accepts the evidence from Mr. L. Popchan, Mechanic, that Mr. Steen offered to assist employees in the establishment of an association among themselves.

An employee has a most responsive relationship with his employer and a natural desire to want to appear to be identified with the interest and wishes of his employer. For this reason, an employee is obviously vulnerable to influences which may operate to impair the free exercise of his rights under the Act. As the Board has discovered in other cases that Management has interfered with the free exercise by employees of their rights, the Board requires reasonable assurance that a petition purporting to express opposition to certification truly and accurately reflects the voluntary wishes of the signatories.

The evidence in this case in the view of the Board discloses that Management participated in the origination of the petition and encouraged its circulation by permitting Mr. Ponech to canvass employees without loss of pay during working hours. The Board considers under the circumstances the employees would have had reason to believe that Mr. Ponech was acting at least with the knowledge of Management and that Management favoured and supported the petition and would likely know or have access to the identity of those who signed it.

The Board found that the petition could not be treated as constituting reliable evidence of the free and uninhibited wishes of the signatories. Accordingly, the Board did not consider the petition as weakening or qualifying the evidence of selection of the Applicant as bargaining agent filed by the Applicant in support of its application.

The Board must determine in matters of this nature, the true wishes of employees, free from any influence by Management. Any attempt by Management to interfere with the freedom of employees to select or reject a trade union as bargaining agent is condemned.

The applicant trade union identified Beny Chevrolet Oldsmobile (1959) Ltd. as the name of the employer. Management advised at the hearing that the employer should properly be identified as Fairfax Service (Leth) Ltd., Fairfax Sales (Leth) Ltd. and Beny Chevrolet Oldsmobile (1959) Ltd. carrying on business in the name and style of Beny Chevrolet Oldsmobile, Lethbridge,

Alberta and the Board exercised authority under section 110 of the Act by substituting the proper name of the employer.

The Board was satisfied that the applicant is a proper bargaining agent, that the amended unit of employees is an appropriate unit for collective bargaining and that a majority of the employees have selected the applicant as bargaining agent on their behalf.

Therefore, it was the decision of the Board that the certificate issue.

Issued at the City of Edmonton, in the Province of Alberta, this 9th day of February, 1972, by the Board of Industrial Relations and signed by its Chairman.

V. IN THE MATTER OF

The Alberta Labour Act

and

* Retail, Wholesale and Department Store Union, Local 980, Calgary, Alberta.	Complainant
Avalon Cleaners Ltd., Calgary, Alberta.	Respondent

REASONS FOR DECISION

This is the matter of a complaint made to the Board of Industrial Relations by the Complainant, the Retail, Wholesale and Department Store Union, Local 980, Calgary, Alberta under section 87 of The Alberta Labour Act affecting the Respondent, Avalon Cleaners Ltd., Calgary, Alberta.

The complaint against the Respondent and the relief sought by the Complainant is described in a letter received by the Board on September 23, 1971, from counsel representing the Complainant, and may be summarized as follows:

1. That Avalon Cleaners Ltd. and William Reed have altered working conditions contrary to section 83 of the Act.
2. That Avalon Cleaners Ltd. and William Reed have altered working conditions contrary to section 98(1) of the Act.
3. That Avalon Cleaners Ltd. have violated section 82(1) of The Alberta Labour Act in that they have implemented franchise operations during the prohibited period or periods.

The Complainant with respect to these complaints requests the Board to issue a directive to Avalon Cleaners Ltd. and William Reed to rectify the acts complained of by cancelling the franchise operations and resuming the normal terms and conditions of employment.

4. That John G. Little, Walter R. Parker and Tom Landa who were driver salesmen prior to and at the time of certification and subsequent thereto, have actually lost their position or employment with Avalon Cleaners Ltd. which loss of position or employment was an attempt to compel each of these former employees to refrain from activities set out in section 84(1) (a), (b) and (c).

* See No. 24, Page 14, 4th Quarter Bulletin, 1971.

5. The Complainant also complains pursuant to section 87 that that each of the above-named employees have had their employment terminated contrary to section 82(1).

The Complainant, with respect to these complaints, requested the Board direct the employer to rectify the alleged unlawful and improper acts of discharge by reinstating each of the employees in their former employment and under normal terms and conditions of employment and direct the employer to pay to each of the employees the sum equal to the wages lost by reason of their respective discharges.

The Complainant also requested the Board to issue a Cease and Desist Order against Avalon Cleaners Ltd. and William Reed ordering and directing them to cease dismissing employees and to cease contravening any of the relevant provisions of Part V of The Alberta Labour Act.

Section 82(1) of the Act is as follows:

"No employer shall interfere with, restrain or coerce any employee in the exercise of any right conferred by this Part."

Section 83 of the Act is as follows:

"Subject to section 74, subsection (5), during the time intervening between the date of an application for certification of a bargaining agent and

(a) the date of its refusal, or

(b) 30 days after the date of certification,

no employer or trade union shall alter any terms or conditions of employment of an employee except that with the consent of the applicant trade union an employer may give effect to a change in terms or conditions of employment."

Section 84(1) (a), (b) and (c) of the Act is as follows:

"(1) Any person who by intimidation, by threat of loss of position or employment or by causing an actual loss of position or employment or by any other threat or act seeks to compel any person

(a) to refrain from attending any meeting of employees held for the purpose of discussing grievances or selecting a bargaining agent to carry on collective bargaining, or

(b) to refrain from acting as representative to carry on collective bargaining, or

(c) to refrain

(i) from engaging in any activities in support of a trade union or a bargaining agent, or

(ii) from making a complaint to a trade union or a bargaining agent, or

(iii) from giving evidence at any inquiry, or

(iv) from becoming a member of a trade union,

is guilty of an offence and liable on summary conviction to a fine of not more than $500."

Section 87 of the Act is as follows:

"(1) If there is a complaint in writing to the Board that an employer or a trade union or any other person is committing an act prohibited by sections 81 to 84, the secretary may serve or cause to be served a notice of the complaint on the person against whom the complaint is made.

(2) The chairman may appoint an officer to inquire into the complaint and endeavour to effect a settlement of the matter complained of, and the officer shall report the results of his inquiry and endeavours to the chairman.

(3) If no appointment is made under subsection (2) or if the officer is unable to effect a settlement of the matter complained of, the Board may inquire into the complaint.

(4) If on inquiry the Board is satisfied that an employer, trade union or other person is doing or has done any of the acts prohibited by sections 81 to 84, the Board

(a) shall issue a directive directing the employer, trade union or other person to cease doing the act,

(b) may in the same directive or in a subsequent directive order the employer, trade union or other person to rectify the act, and

(c) may include a direction to pay to an employee a sum equal to the wages lost by reason of his discharge contrary to section 84, subsection (1) within such time as may be fixed by the Board.

(5) If, after service of the directive under subsection (4) the directive is not complied with on the day fixed for compliance the Board may on the request of the employer, trade union or other person affected by the directive file a copy

of the directive with the Clerk of the Court in the judicial district in which the complaint arose and thereupon the directive is enforceable as a judgement or order of that Court.

(6) If in the opinion of the Board the complaint is without merit, the Board may reject the complaint at any time."

Section 98(1) of the Act is as follows:

"(1) Where notice of a meeting to be held for the purpose of collective bargaining has been served by either party pursuant to the provisions of section 73 or pursuant to the terms of a collective agreement,

(a) no employer who receives or gives the notice shall cause a lock-out,

(b) no employees of that employer shall go on strike,

(c) subject to section 74, subsection (5), none of the parties shall alter any terms or conditions of employment except with the mutual consent of the employer and bargaining agent, and

(d) the relationship of employer and employees continues uninterrupted by any matter or thing arising out of the notice,

until 14 days after the date fixed for the taking of a vote under section 97, subsection (8)."

On June 29, 1971, the Board received an application for certification of a bargaining agent from the Complainant for a unit of employees employed by the Respondent, comprising:- "All employees, employed by the Company in the capacity of Driver Salesmen and service and/or shuttle drivers working in, about or from the City of Calgary, Alberta save and except those with the right to hire and fire."

Following hearings before the Board, a Certificate was issued on August 18, 1971, certifying the Complainant as bargaining agent for the unit of employees described above.

Following the date on which the Board received the aforementioned application for certification as bargaining agent, and prior to the date on which the Board issued the Certificate, the Complainant by letter dated July 23, 1971, registered with the Board a complaint pursuant to section 87 of the

Act that the employer was committing acts prohibited by sections 81 to 84, and specifically sections 84(1) and 82(1) of the Act. Following investigation and a hearing held on August 3, 1971, the Board issued to the Respondent a directive as follows:

> "Pursuant to the provisions of section 87 of The Alberta Labour Act, the Board directs:
>
> 1. The company is not to discuss union matters with any employees until such time as the parties are advised as to final disposal of the complaint.
> 2. The company is not to discuss evidence pertaining to the matters with any employees for such period.
> 3. The company is not to permit meetings of employees on the company premises for such period.
> 4. The company is not to interfere with, restrain or coerce any employee in the exercise of any right conferred by Part 5 of The Alberta Labour Act for such period.
> 5. The company by any act or threat is not to seek to compel any person to refrain from engaging in activities in support of a trade union for such period.
> 6. Those persons giving evidence at the July 30, 1971, hearing, Mr. G. Demeria, Mr. C.J. Swales and Mr. Douglas McKinley are not to discuss evidence with any person for such period and they have been so advised by separate letter."

The hearing was continued on August 10, 1971, following which the Board issued the Certificate to the Complainant as stated above, and the Board also advised the parties that there was insufficient evidence pertaining to the matters complained of that would justify continuation of the directive issued and set out in the letter dated August 3, 1971.

On September 14, 1971, the Board received from the Complainant's representative an application for appointment of conciliation commissioner, and such appointment was made by letter dated September 15, 1971, to the parties.

The foregoing briefly describes the events which took place prior to receipt by the Board of the letter of complaint from counsel for the Complainant on September 23, 1971.

On September 28, 1971, pursuant to section 87(2) of the Act, the Chairman of the Board appointed an officer to inquire into the complaint. The officer in his report dated November 5, 1971 advised the Chairman that he was unable to effect settlement of the matter complained of, and a hearing was then scheduled for the Board to inquire into the complaint.

The Board held a hearing on February 4, 1972, at which time the Complainant and the Respondent were in attendance and represented by counsel. John G. Little, Walter R. Parker and Tom Landa to whom reference is made above, also attended the hearing.

Evidence before the Board indicates that on and after September 16, 1971, letters of resignation were received by the Respondent from a number of persons employed with the Respondent as driver salesmen, and further that such persons had, following termination, entered into and signed individual agreements with the Respondent, in which the individual was referred to as "the franchisee".

Counsel for the Complainant contends that the implementation of franchise agreements did not change the employer/employee relationship between the Respondent and the individuals signatory to "franchise agreements" and that implementation of franchise agreements in fact altered the terms and conditions of employment the individuals signatory to franchise agreements enjoyed prior to date of execution of the agreements.

Counsel for the Respondent argued that the letters of resignation tendered by employees preceded execution of "franchise agreements" thereby terminating the employer/employee relationship between the Respondent and the employees, and that in the absence of employment there was no change in terms and condition of employment possible.

The Board, having reviewed the terms set out in the "franchise agreement" and having considered the submissions of the parties with respect thereto, is satisfied that the degree of control exercised by the Respondent over the individuals signatory to such agreements is of such an extent that a relationship of employer/employee exists between the Respondent and its"franchise" drivers and that in respect of those driver salesmen who entered into "franchise agreements" the relationship of employer/employee continued and was not interrupted.

The Board finds that the Respondent altered the terms and conditions of employment of employees, contrary to sections 83 and 98(1) of the Act, by implementing agreements that provide for conditions of employment other than those existing as at the date of certification without the consent of the bargaining agent, during periods prohibited by aforementioned sections of the Act

as notice of a meeting to be held for the purpose of collective bargaining had been served by the Complainant upon the Respondent on or about August 30, 1971.

It was the decision of the Board that a directive issue pursuant to section 87(4) of The Alberta Labour Act directing Avalon Cleaners Ltd., Calgary Alberta, to cease and refrain from implementing any further alterations in conditions of employment of the employees employed within the scope of the bargaining unit described in Certificate No. 169 - 71 dated August 18, 1971 without the consent of the certified bargaining agent.

The Board has fully considered the submissions made by the parties and the evidence adduced with respect to the termination of employment of John G. Little, Walter R. Parker and Tom Landa.

The evidence before the Board indicates that John G. Little was hired by the Respondent on July 8, 1971 and was subsequently given two weeks notice of termination of his employment on or about August 28, 1971, his final working day being September 10, 1971. During his employment it is indicated that Mr. Little serviced three customer routes. In testimony, Mr. Little stated that he had considered himself as a regular driver salesman and had been offered Route No. 1 on a permanent basis in the early part of August, 1971 and did not become aware that management considered him as a relief driver until he was given notice of termination. To Mr. Little's understanding he was to receive the next route that came open following his decision not to accept the first permanent route offered to him, namely, Route No. 1. Mr. Little further stated that there were two reasons given him by his Supervisor, Mr. David Capaldi, for his dismissal, firstly because he had been hired as a summer relief driver only and secondly, because he had turned down the Respondent's offer of Route No. 1 on a permanent basis. He also stated that he had not discussed franchise operations with management nor had he, at any time, been informed that his employment would be terminated for reason of his union involvement.

The evidence of Mr. Parker indicates that his employment with the Respondent commenced on January 6, 1968 and was subsequently terminated by the Respondent on or about September 17, 1971. He states in testimony that the reason given for his termination was that the sales of his route were down. He further indicates that his sales performance had been reviewed by management on several previous occasions, the most recent discussion had been held immediately prior to the period in which he was off on holidays during June of 1971. Mr. Parker indicates that he had not discussed franchise operations with management at any time and further indicates that management had never discussed with him his union affiliation nor had his activities in support of the union been mentioned as a reason for the termination of his employment.

The evidence respecting Mr. Landa indicates that he was employed by the Respondent on or about June 23, 1971 as a driver salesman and was terminated on or about August 16, 1971. The evidence further indicates that Mr. Landa was terminated as a result of reporting late for work on August 13, 1971 and August 16, 1971 in contravention of a directive issued by management to all driver salesmen on or about August 5, 1971. Mr. Landa stated that he had never discussed franchise operations with management although he does recall being approached by a fellow employee with respect to the Complainant's activities to organize the employees of the Respondent.

In respect of these three cases, in the opinion of the Board the evidence is not such as to justify a determination that the termination of the employment of any of the persons by the Respondent was an attempt to compel the individual to refrain from activities set out in section 84(1) of the Act and accordingly no directive will issue.

Issued at the City of Edmonton, in the Province of Alberta, this 22nd day of March, 1972, by the Board of Industrial Relations and signed by its Chairman.